

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. This Act may be referred to as the Family and
5 Personal Protection Act.

6 Section 2. Legislative determination. It is hereby
7 declared as a matter of legislative determination that in order
8 to promote and protect the health, safety and welfare of the
9 public, it is necessary and in the public interest within the
10 State of Illinois to establish a system of handgun
11 registration, thereby establishing a practical and workable
12 system by which law enforcement authorities will be afforded an
13 opportunity to identify the ownership of handguns that have
14 been recovered or seized as evidence in connection with a
15 criminal offense.

16 Section 4. Definitions.

17 As used in Sections 2 and 5 of this Act:

18 "Certificate of Handgun Registration" means a certificate
19 issued by the Illinois Department of State Police under Section
20 5 of this Act.

21 "Department" means the Department of State Police.

22 "Federally licensed firearm dealer" means a person who is

1 licensed as a federal firearms dealer under Section 923 of the
2 federal Gun Control Act of 1968 (18 U.S.C. 923).

3 "Firearm" has the same meaning as set forth in Section 1.1
4 of the Firearm Owners Identification Card Act.

5 "Handgun" means a firearm designed to be held and fired by
6 the use of a single hand.

7 Section 5. Certificate of Handgun Registration.

8 (a) No person shall transport or possess a handgun in this
9 State without a Certificate of Handgun Registration issued for
10 that handgun by the Department of State Police.

11 (b) The provisions of this Section prohibiting a person
12 from transporting or possessing a handgun without a Certificate
13 of Handgun Registration do not apply to the following:

14 (1) any person who is exempt from the Firearm Owners
15 Identification Card Act under subsection (b) of Section 2
16 of that Act;

17 (2) any person who is exempt from the Firearm Owners
18 Identification Card Act under subsection (c) of Section 2
19 of that Act;

20 (3) a certified member of the Illinois Firearms
21 Manufacturers Association; and

22 (4) a federally licensed firearm dealer holding a new
23 handgun for transfer or sale.

24 (c) An applicant for an original or transferred Certificate
25 of Handgun Registration shall submit an application to the

1 Department, prepared and furnished at convenient locations
2 throughout the State or by electronic means. The application
3 shall request the following information from the applicant:

4 (1) the applicant's name, address, and telephone
5 number;

6 (2) a copy of the applicant's Illinois Firearm Owner's
7 Identification Card;

8 (3) the name of the manufacturer, the caliber or gauge,
9 the model, the type, and the serial number identification
10 of the handgun to be registered;

11 (4) the source from which the handgun was obtained,
12 including the name and address of the source;

13 (5) the date the handgun was acquired;

14 (6) any other information that the Department shall
15 find reasonably necessary or desirable to effectuate the
16 purposes of this Section and to arrive at a fair
17 determination as to whether the terms of this Section have
18 been complied with; and

19 (7) an affidavit signed by the applicant certifying
20 that the applicant:

21 (A) possesses a valid Firearm Owner's
22 Identification Card;

23 (B) as of the date of application, would still be
24 eligible to receive a Firearm Owner's Identification
25 Card from the Department.

26 (d) The Department shall issue an original or transferred

1 Certificate of Handgun Registration or shall issue a written
2 denial of the application within 30 days after the application
3 is received.

4 (e) There is created in the State treasury the Handgun
5 Certificate Administration Fund to be used by the Department
6 for the administration of handgun registration as required by
7 this Section.

8 (f) A nonrefundable application fee of \$20 shall be payable
9 for each original or transferred Certificate of Handgun
10 Registration. All moneys received from this \$20 fee shall be
11 deposited as follows:

12 (1) \$10 to the Handgun Certificate Administration Fund
13 for the administration of handgun registration;

14 (2) \$5 to the Illinois LEADS Information and Technology
15 Improvement Fund; and

16 (3) \$5 to the National Instant Criminal Background
17 Check System Improvement Fund.

18 (g) A nonrefundable fee of \$10 shall be payable for each
19 duplicate or replacement Certificate of Handgun Registration.
20 All moneys received from this \$10 fee shall be deposited into
21 the Handgun Certificate Administration Fund for the
22 administration of handgun registration.

23 (h) Certificates of Handgun Registration shall expire
24 every 5 years. The fee for renewal of a Certificate of Handgun
25 Registration is \$10. All moneys received from this \$10 fee
26 shall be deposited into the Handgun Certificate Administration

1 Fund for the administration of handgun registration.

2 (i) Every person issued a Certificate of Handgun
3 Registration shall notify the Department in the manner
4 prescribed by the Department within 72 hours of the following:

5 (1) a change in any of the information appearing on the
6 Certificate of Handgun Registration; or

7 (2) the sale, transfer, inheritance, or other
8 disposition of the registered handgun.

9 (j) A person issued a Certificate of Handgun Registration,
10 in addition to any other requirements of this Section, shall
11 immediately return to the Department his or her Certificate of
12 Handgun Registration for any handgun which is lost, stolen,
13 destroyed, or otherwise disposed of.

14 (k) If an owner transfers ownership of a handgun, he or she
15 shall execute to the transferee, at the time of the delivery of
16 the handgun, an assignment of registration in the space
17 provided on the Certificate of Handgun Registration, and shall
18 cause the certificate and assignment to be delivered to the
19 transferee.

20 (k-5) In the case of a federally licensed firearm dealer
21 making a sale of a new handgun, the dealer shall submit the
22 application described in subsection (c) of this Section along
23 with the required fee to the Department on the purchaser's
24 behalf within 20 days from the date of sale. If the purchaser
25 does not receive an original Certificate of Handgun
26 Registration or a written denial of the application submitted

1 on his or her behalf by the dealer within 50 days from the date
2 of purchase, the purchaser shall inquire to the Department
3 regarding the status of his or her application.

4 (l) Within 20 days after the delivery to a transferee of a
5 handgun or the delivery of the certificate and assignment,
6 whichever occurs sooner, the transferee shall execute the
7 application for a new Certificate of Handgun Registration in
8 the space provided on the certificate and cause the certificate
9 and application to be mailed or delivered to the Department.

10 (m) No transferee shall knowingly accept ownership of a
11 handgun from a transferor who has failed to obtain a
12 Certificate of Handgun Registration in violation of this
13 Section, or who fails to execute an assignment of registration
14 to the transferee as required by subsection (k) of this
15 Section.

16 (n) Any person who accepts delivery of a handgun that has
17 not been previously registered and assigned to the transferee
18 shall file an application for an original Certificate of
19 Handgun Registration within 20 days after taking possession of
20 the handgun. Any person who owns a handgun on the effective
21 date of this Act shall file an application for an original
22 Certificate of Handgun Registration not later than 90 days
23 after the effective date of this Act.

24 (o) Transfer of ownership of a registered handgun shall not
25 be considered complete until the transferee has complied with
26 subsection (l) of this Section, provided that a transferor who

1 has complied with subsection (k) of this Section, and has
2 complied with the requirements of Section 3 and 3.1 of the
3 Firearm Owners Identification Card Act, if applicable, shall
4 not be liable as an owner by virtue of the transferee's failure
5 to comply with subsection (l) for damages arising out of use of
6 the handgun.

7 (p) The Department has authority to deny an application for
8 or to revoke and seize a Certificate of Handgun Registration
9 previously issued under this Section if the Department finds
10 that:

11 (1) the person does not possess a valid Firearm Owner's
12 Identification Card;

13 (2) false or misleading information was submitted to
14 the Department in connection with the application; or

15 (3) the handgun is unlawful for the applicant to own.

16 (q) The Department of State Police and local law
17 enforcement may exchange any information that is necessary for
18 the proper administration of this Section unless the exchange
19 is specifically prohibited by State or federal law.

20 (r) Whenever an application for a Certificate of Handgun
21 Registration is denied, whenever the Department fails to act on
22 an application within 30 days of its receipt, or whenever a
23 certificate is revoked or seized, the aggrieved party may
24 appeal to the Director of the Department of State Police for a
25 hearing upon the denial, failure to act, revocation, or
26 seizure, unless the denial, failure to act, revocation, or

1 seizure was based upon a forcible felony, stalking, aggravated
2 stalking, domestic battery, any violation of the Illinois
3 Controlled Substances Act, the Methamphetamine Control and
4 Community Protection Act, or the Cannabis Control Act that is
5 classified as a Class 2 or greater felony, any felony violation
6 of Article 24 of the Criminal Code of 2012, or any adjudication
7 as a delinquent minor for the commission of an offense that if
8 committed by an adult would be a felony, in which case the
9 aggrieved party may petition the circuit court in writing in
10 the county of his or her residence for a hearing upon the
11 denial, failure to act, revocation, or seizure.

12 (1) At least 30 days before any hearing in the circuit
13 court, the petitioner shall serve the appropriate State's
14 Attorney with a copy of the petition. The State's Attorney
15 may object to the petition and present evidence. At the
16 hearing the court shall determine whether substantial
17 justice has been done. Should the court determine that
18 substantial justice has not been done, the court shall
19 issue an order directing the Department of State Police to
20 issue a Certificate of Handgun Registration.

21 (2) Any person prohibited from possessing a handgun
22 under Sections 24-1.1 or 24-3.1 of the Criminal Code of
23 2012 or acquiring a Certificate of Handgun Registration
24 under this Section may apply to the Director of the
25 Department of State Police or petition the circuit court in
26 the county where the petitioner resides, whichever is

1 applicable in accordance with this subsection (r),
2 requesting relief from the prohibition and the Director or
3 court may grant this relief if it is established by the
4 applicant to the court's or Director's satisfaction that:

5 (A) when in the circuit court, the State's Attorney
6 has been served with a written copy of the petition at
7 least 30 days before any hearing in the circuit court
8 and at the hearing the State's Attorney was afforded an
9 opportunity to present evidence and object to the
10 petition;

11 (B) the applicant has not been convicted of a
12 forcible felony under the laws of this State or any
13 other jurisdiction within 20 years of the applicant's
14 application for a Certificate of Handgun Registration,
15 or at least 20 years have passed since the end of any
16 period of imprisonment imposed in relation to that
17 conviction;

18 (C) the circumstances regarding a criminal
19 conviction, where applicable, the applicant's criminal
20 history and his or her reputation are such that the
21 applicant will not be likely to act in a manner
22 dangerous to public safety; and

23 (D) granting relief would not be contrary to the
24 public interest.

25 (3) When a minor is adjudicated delinquent for an
26 offense which if committed by an adult would be a felony,

1 the court shall notify the Department of State Police.

2 (4) The court shall review the denial of an application
3 or the revocation of a Certificate of Handgun Registration
4 of a person who has been adjudicated delinquent for an
5 offense that if committed by an adult would be a felony if
6 an application for relief has been filed at least 10 years
7 after the adjudication of delinquency and the court
8 determines that the applicant should be granted relief from
9 disability to obtain a Certificate of Handgun
10 Registration. If the court grants relief, the court shall
11 notify the Department that the disability has been removed
12 and that the applicant is eligible to obtain a Certificate
13 of Handgun Registration.

14 (5) Any person who is prohibited from possessing a
15 handgun under 18 U.S.C. 922(d)(4) and 922(g)(4) of the
16 federal Gun Control Act of 1968 may apply to the Department
17 of State Police requesting relief from the prohibition and
18 the Director shall grant this relief if it is established
19 to the Director's satisfaction that the person will not be
20 likely to act in a manner dangerous to public safety and
21 granting relief would not be contrary to the public
22 interest.

23 (s) Notwithstanding any other provision of law, including
24 the Freedom of Information Act, it is the public policy of this
25 State that the names and information of persons who have
26 applied for or received Certificates of Handgun Registration

1 under this Section are considered private and shall not be
2 disclosed. No State or local law enforcement agency shall
3 provide the names and information of holders of or applicants
4 for Certificates of Handgun Registration, except that the
5 Department may provide confirmation that a person has or has
6 not been issued, applied for, or denied a Certificate of
7 Handgun Registration in connection with a criminal
8 investigation.

9 (t) The Department of State Police may perform its duties
10 under this Act through the Department's Firearm Owner's
11 Identification Card Office.

12 (u) Altered, forged or counterfeit Certificate of Handgun
13 Registration.

14 (1) Any person who forges or materially alters a
15 Certificate of Handgun Registration or who counterfeits a
16 Certificate of Handgun Registration commits a Class 2
17 felony.

18 (2) Any person who knowingly possesses a forged or
19 materially altered Certificate of Handgun Registration
20 with the intent to use it commits a Class 2 felony.

21 (3) A person who possesses a Certificate of Handgun
22 Registration with knowledge that it is counterfeit commits
23 a Class 2 felony.

24 (v) Certificate of Handgun Registration and handgun
25 transfer violations.

26 (1) Any person who transports or possesses a handgun

1 without a current Certificate of Handgun Registration
2 commits a Class 2 felony.

3 (2) Any person who knowingly enters false or misleading
4 information or who submits false or misleading evidence in
5 connection with the application described in subsection
6 (c) of this Section commits a Class 2 felony.

7 (3) Any person who sells, transfers, or otherwise
8 disposes of his or her registered handgun and does not
9 notify the Department of that sale, transfer, or
10 disposition within the timelines in this Section commits a
11 Class A misdemeanor.

12 (4) Any federally licensed dealer who does not submit
13 an application on behalf of a purchaser in accordance with
14 subsection (k-5) of this Section commits a Class A
15 misdemeanor.

16 Section 80. Firearm carry prohibition; schools.

17 (a) No person may knowingly carry a firearm into any
18 preschool, elementary school, or secondary school or any
19 portion of any school building thereof; or any school property
20 surrounding a preschool, elementary school, or secondary
21 school building, including but not limited to sidewalks and
22 parking lot areas adjacent to or near preschool, elementary
23 school, or secondary school property.

24 (b) The exemptions and provisions in subsections (a), (b),
25 (f), (g-6), (g-10), (h), and (i) of Section 24-2 of the

1 Criminal Code of 2012 apply to this Section.

2 (c) The United States Supreme Court in District of Columbia
3 v. Heller, 554 U.S. 570, 128 S.Ct. 2783 (2008) has recognized
4 that the Second Amendment to the United States Constitution
5 does not confer an unlimited right and that states may prohibit
6 the carrying of firearms in sensitive places. The Supreme Court
7 stated in the Heller decision: "Although we do not undertake an
8 exhaustive historical analysis today of the full scope of the
9 Second Amendment, nothing in our opinion should be taken to
10 cast doubt on longstanding prohibitions on the possession of
11 firearms by felons and the mentally ill, or laws forbidding the
12 carrying of firearms in sensitive places such as schools and
13 government buildings . . ." The Supreme Court also noted in a
14 footnote referencing this statement in the Heller decision
15 that: "We identify these presumptively lawful regulatory
16 measures only as examples; our list does not purport to be
17 exhaustive." This recognition was reiterated by the U. S.
18 Supreme Court in McDonald v. the City of Chicago, 561 U.S.
19 3025, 130 S.Ct. 3020 (2010), which incorporated the Second
20 Amendment against state action. The Supreme Court again stated:
21 "We made it clear in Heller that our holding did not cast doubt
22 on such longstanding regulatory measures as "prohibitions on
23 the possession of firearms by felons and the mentally ill,"
24 "laws forbidding the carrying of firearms in sensitive places
25 such as schools and government buildings . . . We repeat those
26 assurances here." Further, the federal 7th Circuit Court of

1 Appeals in Moore v. Madigan, 702 F.3d. 933 (7th Cir., 2012)
2 cited the "sensitive place" statement of the Supreme Court in
3 both the Heller and McDonald decisions and concluded: "That a
4 legislature can forbid the carrying of firearms in schools and
5 government buildings means that any right to possess a gun for
6 self-defense outside the home is not absolute, and it is not
7 absolute by the Supreme Court's own terms." Therefore, the
8 General Assembly finds that the place or location set forth in
9 subsection (a) of this Section is a sensitive place and the
10 prohibition on the carrying of firearms will promote public
11 safety in this sensitive place.

12 Section 100. Firearm carry prohibition; State and local
13 government.

14 (a) No person may knowingly carry a firearm into any
15 building under the control of the State, General Assembly,
16 General Assembly support service agency, including a building
17 in which a committee of the General Assembly convenes for the
18 purpose of conducting meetings of committees, joint
19 committees, legislative commissions, and any property or
20 parking lot area under control of the General Assembly that is
21 adjacent to or near a prohibited building in this Section.

22 (b) No person may knowingly carry a firearm into any
23 building owned or occupied by a governing body of a unit of
24 local government, or any property or parking lot area adjacent
25 to or near a local government building. For the purposes of

1 this Section, "unit of local government" means a county,
2 municipality, township, special district, and unit, designated
3 as a unit of local government by law, which exercises limited
4 governmental powers or powers in respect to limited
5 governmental subjects, but does not include a school district.

6 (c) No person may knowingly carry a firearm into any
7 building under control of the Governor, Lieutenant Governor,
8 Attorney General, Secretary of State, Comptroller, or
9 Treasurer, and any property or parking lot area adjacent to or
10 near a prohibited building in this Section.

11 (d) No person may knowingly carry a firearm into any
12 police, sheriff, State Police, or firefighting office or
13 station, or onto any adjacent property or parking lot areas
14 under the control of a police, sheriff, State Police, or
15 firefighting office or station, without the consent of the
16 chief law enforcement officer or chief firefighting officer in
17 charge of that office or station, unless employed by the
18 police, sheriff, State Police, or firefighting office or
19 station and authorized by the chief law enforcement officer or
20 chief firefighting officer to carry a firearm.

21 (e) No person may knowingly carry a firearm into any adult
22 or juvenile detention or correctional institution, prison, or
23 jail, or onto any adjacent property or parking lot area under
24 the control of an adult or juvenile detention or correctional
25 institution, prison, or jail, unless employed there and
26 otherwise authorized to carry a firearm.

1 (f) No person may knowingly carry a firearm into any
2 courthouse or part of a building that is occupied by the
3 Circuit, Appellate, or Supreme Court, any room designated for
4 court proceedings by any of these courts, and any property or
5 parking lot area adjacent to or near courthouses and court
6 buildings.

7 (g) The exemptions and provisions in subsections (a), (b),
8 (f), (g-6), (g-10), (h), and (i) of Section 24-2 of the
9 Criminal Code of 2012 apply to this Section.

10 (h) The United States Supreme Court in District of Columbia
11 v. Heller, 554 U.S. 570, 128 S.Ct. 2783 (2008) has recognized
12 that the Second Amendment to the United States Constitution
13 does not confer an unlimited right and that states may prohibit
14 the carrying of firearms in sensitive places. The Supreme Court
15 stated in the Heller decision: "Although we do not undertake an
16 exhaustive historical analysis today of the full scope of the
17 Second Amendment, nothing in our opinion should be taken to
18 cast doubt on longstanding prohibitions on the possession of
19 firearms by felons and the mentally ill, or laws forbidding the
20 carrying of firearms in sensitive places such as schools and
21 government buildings . . ." The Supreme Court also noted in a
22 footnote referencing this statement in the Heller decision
23 that: "We identify these presumptively lawful regulatory
24 measures only as examples; our list does not purport to be
25 exhaustive." This recognition was reiterated by the U. S.
26 Supreme Court in McDonald v. the City of Chicago, 561 U.S.

1 3025, 130 S.Ct. 3020 (2010), which incorporated the Second
2 Amendment against state action. The Supreme Court again stated:
3 "We made it clear in Heller that our holding did not cast doubt
4 on such longstanding regulatory measures as "prohibitions on
5 the possession of firearms by felons and the mentally ill,"
6 "laws forbidding the carrying of firearms in sensitive places
7 such as schools and government buildings . . . We repeat those
8 assurances here." Further, the federal 7th Circuit Court of
9 Appeals in Moore v. Madigan, 702 F.3d. 933 (7th Cir., 2012)
10 cited the "sensitive place" statement of the Supreme Court in
11 both the Heller and McDonald decisions and concluded: "That a
12 legislature can forbid the carrying of firearms in schools and
13 government buildings means that any right to possess a gun for
14 self-defense outside the home is not absolute, and it is not
15 absolute by the Supreme Court's own terms." Therefore, the
16 General Assembly finds that the places or locations set forth
17 in this Section are sensitive places and the prohibition on the
18 carrying of firearms will promote public safety in these
19 sensitive places.

20 Section 123. Firearm carry prohibition; restaurants with
21 liquor license. No person may knowingly carry a firearm
22 into any establishment that maintains a retail liquor license
23 as provided in subsection (d) of Section 5-1 of the Liquor
24 Control Act of 1934 and allows for the sale and consumption of
25 alcoholic beverages on its premises as an on premise

1 consumption retailer.

2 Section 130. Firearm carry prohibition; child care
3 facility.

4 (a) No person may knowingly carry a firearm into any
5 portion of a building used as a child care facility, or any
6 adjacent property or parking lot area under control of or owned
7 by a child care facility.

8 (b) Nothing in this Section shall prevent the owner or
9 operator of a child care facility in a family home from owning
10 or possessing a firearm or license, so long as the firearm is
11 stored unloaded in a locked container.

12 (c) The exemptions and provisions in subsections (a), (b),
13 (f), (g-6), (g-10), (h), and (i) of Section 24-2 of the
14 Criminal Code of 2012 apply to this Section.

15 (d) The United States Supreme Court in District of Columbia
16 v. Heller, 554 U.S. 570, 128 S.Ct. 2783 (2008) has recognized
17 that the Second Amendment to the United States Constitution
18 does not confer an unlimited right and that states may prohibit
19 the carrying of firearms in sensitive places. The Supreme Court
20 stated in the Heller decision: "Although we do not undertake an
21 exhaustive historical analysis today of the full scope of the
22 Second Amendment, nothing in our opinion should be taken to
23 cast doubt on longstanding prohibitions on the possession of
24 firearms by felons and the mentally ill, or laws forbidding the
25 carrying of firearms in sensitive places such as schools and

1 government buildings . . ." The Supreme Court also noted in a
2 footnote referencing this statement in the Heller decision
3 that: "We identify these presumptively lawful regulatory
4 measures only as examples; our list does not purport to be
5 exhaustive." This recognition was reiterated by the U. S.
6 Supreme Court in McDonald v. the City of Chicago, 561 U.S.
7 3025, 130 S.Ct. 3020 (2010), which incorporated the Second
8 Amendment against state action. The Supreme Court again stated:
9 "We made it clear in Heller that our holding did not cast doubt
10 on such longstanding regulatory measures as "prohibitions on
11 the possession of firearms by felons and the mentally ill,"
12 "laws forbidding the carrying of firearms in sensitive places
13 such as schools and government buildings . . . We repeat those
14 assurances here." Further, the federal 7th Circuit Court of
15 Appeals in Moore v. Madigan, 702 F.3d. 933 (7th Cir., 2012)
16 cited the "sensitive place" statement of the Supreme Court in
17 both the Heller and McDonald decisions and concluded: "That a
18 legislature can forbid the carrying of firearms in schools and
19 government buildings means that any right to possess a gun for
20 self-defense outside the home is not absolute, and it is not
21 absolute by the Supreme Court's own terms." Therefore, the
22 General Assembly finds that the place or location set forth in
23 subsection (a) of this Section is a sensitive place and the
24 prohibition on the carrying of firearms will promote public
25 safety in this sensitive place.

1 Section 135. Firearm carry prohibition; gaming facility.

2 (a) No person may knowingly carry a firearm into any gaming
3 facility or any adjacent property or parking lot area under
4 control of or owned by a gaming facility licensed under the
5 Riverboat Gambling Act or the Horse Racing Act of 1975.

6 (b) No person may knowingly carry a firearm into any
7 licensed establishment, licensed truck stop establishment,
8 licensed fraternal establishment, or licensed veterans
9 establishment licensed under the Video Gaming Act or any
10 adjacent property or parking lot area under the control of or
11 owned by a licensed establishment, licensed truck stop
12 establishment, licensed fraternal establishment, or licensed
13 veterans establishment licensed under the Video Gaming Act.

14 (c) The exemptions and provisions in subsections (a), (b),
15 (f), (g-6), (g-10), (h), and (i) of Section 24-2 of the
16 Criminal Code of 2012 apply to this Section.

17 (d) The United States Supreme Court in District of Columbia
18 v. Heller, 554 U.S. 570, 128 S.Ct. 2783 (2008) has recognized
19 that the Second Amendment to the United States Constitution
20 does not confer an unlimited right and that states may prohibit
21 the carrying of firearms in sensitive places. The Supreme Court
22 stated in the Heller decision: "Although we do not undertake an
23 exhaustive historical analysis today of the full scope of the
24 Second Amendment, nothing in our opinion should be taken to
25 cast doubt on longstanding prohibitions on the possession of
26 firearms by felons and the mentally ill, or laws forbidding the

1 carrying of firearms in sensitive places such as schools and
2 government buildings . . ." The Supreme Court also noted in a
3 footnote referencing this statement in the Heller decision
4 that: "We identify these presumptively lawful regulatory
5 measures only as examples; our list does not purport to be
6 exhaustive." This recognition was reiterated by the U. S.
7 Supreme Court in *McDonald v. the City of Chicago*, 561 U.S.
8 3025, 130 S.Ct. 3020 (2010), which incorporated the Second
9 Amendment against state action. The Supreme Court again stated:
10 "We made it clear in *Heller* that our holding did not cast doubt
11 on such longstanding regulatory measures as "prohibitions on
12 the possession of firearms by felons and the mentally ill,"
13 "laws forbidding the carrying of firearms in sensitive places
14 such as schools and government buildings . . . We repeat those
15 assurances here." Further, the federal 7th Circuit Court of
16 Appeals in *Moore v. Madigan*, 702 F.3d. 933 (7th Cir., 2012)
17 cited the "sensitive place" statement of the Supreme Court in
18 both the *Heller* and *McDonald* decisions and concluded: "That a
19 legislature can forbid the carrying of firearms in schools and
20 government buildings means that any right to possess a gun for
21 self-defense outside the home is not absolute, and it is not
22 absolute by the Supreme Court's own terms." Therefore, the
23 General Assembly finds that the places or locations set forth
24 in subsections (a) and (b) of this Section are sensitive places
25 and the prohibition on the carrying of firearms will promote
26 public safety in these sensitive places.

1 Section 140. Firearm carry prohibition; amusement park.

2 (a) No person may knowingly carry a firearm into any gated
3 area of an amusement park, or any adjacent property or parking
4 lot area under control of or owned by an amusement park.

5 (b) The exemptions and provisions in subsections (a), (b),
6 (f), (g-6), (g-10), (h), and (i) of Section 24-2 of the
7 Criminal Code of 2012 apply to this Section.

8 (c) The United States Supreme Court in District of Columbia
9 v. Heller, 554 U.S. 570, 128 S.Ct. 2783 (2008) has recognized
10 that the Second Amendment to the United States Constitution
11 does not confer an unlimited right and that states may prohibit
12 the carrying of firearms in sensitive places. The Supreme Court
13 stated in the Heller decision: "Although we do not undertake an
14 exhaustive historical analysis today of the full scope of the
15 Second Amendment, nothing in our opinion should be taken to
16 cast doubt on longstanding prohibitions on the possession of
17 firearms by felons and the mentally ill, or laws forbidding the
18 carrying of firearms in sensitive places such as schools and
19 government buildings . . ." The Supreme Court also noted in a
20 footnote referencing this statement in the Heller decision
21 that: "We identify these presumptively lawful regulatory
22 measures only as examples; our list does not purport to be
23 exhaustive." This recognition was reiterated by the U. S.
24 Supreme Court in McDonald v. the City of Chicago, 561 U.S.
25 3025, 130 S.Ct. 3020 (2010), which incorporated the Second

1 Amendment against state action. The Supreme Court again stated:
2 "We made it clear in *Heller* that our holding did not cast doubt
3 on such longstanding regulatory measures as "prohibitions on
4 the possession of firearms by felons and the mentally ill,"
5 "laws forbidding the carrying of firearms in sensitive places
6 such as schools and government buildings . . . We repeat those
7 assurances here." Further, the federal 7th Circuit Court of
8 Appeals in *Moore v. Madigan*, 702 F.3d. 933 (7th Cir., 2012)
9 cited the "sensitive place" statement of the Supreme Court in
10 both the *Heller* and *McDonald* decisions and concluded: "That a
11 legislature can forbid the carrying of firearms in schools and
12 government buildings means that any right to possess a gun for
13 self-defense outside the home is not absolute, and it is not
14 absolute by the Supreme Court's own terms." Therefore, the
15 General Assembly finds that the place or location set forth in
16 subsection (a) of this Section is a sensitive place and the
17 prohibition on the carrying of firearms will promote public
18 safety in this sensitive place.

19 Section 145. Firearm carry prohibition; stadium; arena.

20 (a) No person may knowingly carry a firearm into any
21 stadium, arena, or collegiate or professional sporting event,
22 or any adjacent property or parking lot area under the control
23 of or owned by a facility where carry is prohibited under this
24 Section.

25 (b) The exemptions and provisions in subsections (a), (b),

1 (f), (g-6), (g-10), (h), and (i) of Section 24-2 of the
2 Criminal Code of 2012 apply to this Section.

3 (c) The United States Supreme Court in *District of Columbia*
4 *v. Heller*, 554 U.S. 570, 128 S.Ct. 2783 (2008) has recognized
5 that the Second Amendment to the United States Constitution
6 does not confer an unlimited right and that states may prohibit
7 the carrying of firearms in sensitive places. The Supreme Court
8 stated in the *Heller* decision: "Although we do not undertake an
9 exhaustive historical analysis today of the full scope of the
10 Second Amendment, nothing in our opinion should be taken to
11 cast doubt on longstanding prohibitions on the possession of
12 firearms by felons and the mentally ill, or laws forbidding the
13 carrying of firearms in sensitive places such as schools and
14 government buildings . . ." The Supreme Court also noted in a
15 footnote referencing this statement in the *Heller* decision
16 that: "We identify these presumptively lawful regulatory
17 measures only as examples; our list does not purport to be
18 exhaustive." This recognition was reiterated by the U. S.
19 Supreme Court in *McDonald v. the City of Chicago*, 561 U.S.
20 3025, 130 S.Ct. 3020 (2010), which incorporated the Second
21 Amendment against state action. The Supreme Court again stated:
22 "We made it clear in *Heller* that our holding did not cast doubt
23 on such longstanding regulatory measures as "prohibitions on
24 the possession of firearms by felons and the mentally ill,"
25 "laws forbidding the carrying of firearms in sensitive places
26 such as schools and government buildings . . . We repeat those

1 assurances here." Further, the federal 7th Circuit Court of
2 Appeals in Moore v. Madigan, 702 F.3d. 933 (7th Cir., 2012)
3 cited the "sensitive place" statement of the Supreme Court in
4 both the Heller and McDonald decisions and concluded: "That a
5 legislature can forbid the carrying of firearms in schools and
6 government buildings means that any right to possess a gun for
7 self-defense outside the home is not absolute, and it is not
8 absolute by the Supreme Court's own terms." Therefore, the
9 General Assembly finds that the place or location set forth in
10 subsection (a) of this Section is a sensitive place and the
11 prohibition on the carrying of firearms will promote public
12 safety in this sensitive place.

13 Section 150. Firearm carry prohibition; hospital; mental
14 health facility.

15 (a) No person may knowingly carry a firearm into any
16 hospital or mental health facility, or onto any adjacent
17 property or parking lot area under the control of or owned by a
18 hospital or mental health facility.

19 (b) The exemptions and provisions in subsections (a), (b),
20 (f), (g-6), (g-10), (h), and (i) of Section 24-2 of the
21 Criminal Code of 2012 apply to this Section.

22 (c) The United States Supreme Court in District of Columbia
23 v. Heller, 554 U.S. 570, 128 S.Ct. 2783 (2008) has recognized
24 that the Second Amendment to the United States Constitution
25 does not confer an unlimited right and that states may prohibit

1 the carrying of firearms in sensitive places. The Supreme Court
2 stated in the Heller decision: "Although we do not undertake an
3 exhaustive historical analysis today of the full scope of the
4 Second Amendment, nothing in our opinion should be taken to
5 cast doubt on longstanding prohibitions on the possession of
6 firearms by felons and the mentally ill, or laws forbidding the
7 carrying of firearms in sensitive places such as schools and
8 government buildings . . ." The Supreme Court also noted in a
9 footnote referencing this statement in the Heller decision
10 that: "We identify these presumptively lawful regulatory
11 measures only as examples; our list does not purport to be
12 exhaustive." This recognition was reiterated by the U. S.
13 Supreme Court in *McDonald v. the City of Chicago*, 561 U.S.
14 3025, 130 S.Ct. 3020 (2010), which incorporated the Second
15 Amendment against state action. The Supreme Court again stated:
16 "We made it clear in *Heller* that our holding did not cast doubt
17 on such longstanding regulatory measures as "prohibitions on
18 the possession of firearms by felons and the mentally ill,"
19 "laws forbidding the carrying of firearms in sensitive places
20 such as schools and government buildings . . . We repeat those
21 assurances here." Further, the federal 7th Circuit Court of
22 Appeals in *Moore v. Madigan*, 702 F.3d. 933 (7th Cir., 2012)
23 cited the "sensitive place" statement of the Supreme Court in
24 both the *Heller* and *McDonald* decisions and concluded: "That a
25 legislature can forbid the carrying of firearms in schools and
26 government buildings means that any right to possess a gun for

1 self-defense outside the home is not absolute, and it is not
2 absolute by the Supreme Court's own terms." Therefore, the
3 General Assembly finds that the place or location set forth in
4 subsection (a) of this Section is a sensitive place and the
5 prohibition on the carrying of firearms will promote public
6 safety in this sensitive place.

7 Section 160. Firearm carry prohibition; library.

8 (a) No person may knowingly carry a firearm into any
9 library, or onto any adjacent property or parking lot area
10 under the control of or owned by a library.

11 (b) The exemptions and provisions in subsections (a), (b),
12 (f), (g-6), (g-10), (h), and (i) of Section 24-2 of the
13 Criminal Code of 2012 apply to this Section.

14 (c) The United States Supreme Court in District of Columbia
15 v. Heller, 554 U.S. 570, 128 S.Ct. 2783 (2008) has recognized
16 that the Second Amendment to the United States Constitution
17 does not confer an unlimited right and that states may prohibit
18 the carrying of firearms in sensitive places. The Supreme Court
19 stated in the Heller decision: "Although we do not undertake an
20 exhaustive historical analysis today of the full scope of the
21 Second Amendment, nothing in our opinion should be taken to
22 cast doubt on longstanding prohibitions on the possession of
23 firearms by felons and the mentally ill, or laws forbidding the
24 carrying of firearms in sensitive places such as schools and
25 government buildings . . ." The Supreme Court also noted in a

1 footnote referencing this statement in the Heller decision
2 that: "We identify these presumptively lawful regulatory
3 measures only as examples; our list does not purport to be
4 exhaustive." This recognition was reiterated by the U. S.
5 Supreme Court in McDonald v. the City of Chicago, 561 U.S.
6 3025, 130 S.Ct. 3020 (2010), which incorporated the Second
7 Amendment against state action. The Supreme Court again stated:
8 "We made it clear in Heller that our holding did not cast doubt
9 on such longstanding regulatory measures as "prohibitions on
10 the possession of firearms by felons and the mentally ill,"
11 "laws forbidding the carrying of firearms in sensitive places
12 such as schools and government buildings . . . We repeat those
13 assurances here." Further, the federal 7th Circuit Court of
14 Appeals in Moore v. Madigan, 702 F.3d. 933 (7th Cir., 2012)
15 cited the "sensitive place" statement of the Supreme Court in
16 both the Heller and McDonald decisions and concluded: "That a
17 legislature can forbid the carrying of firearms in schools and
18 government buildings means that any right to possess a gun for
19 self-defense outside the home is not absolute, and it is not
20 absolute by the Supreme Court's own terms." Therefore, the
21 General Assembly finds that the place or location set forth in
22 subsection (a) of this Section is a sensitive place and the
23 prohibition on the carrying of firearms will promote public
24 safety in this sensitive place.

25 Section 205. Firearm carry prohibition; public

1 transportation.

2 (a) No person may knowingly carry a firearm on buses,
3 trains, or any form of transportation paid for in part or whole
4 with public funds, and any transportation facility and the
5 surrounding premises under its control.

6 (b) The exemptions and provisions in subsections (a), (b),
7 (f), (g-6), (g-10), (h), and (i) of Section 24-2 of the
8 Criminal Code of 2012 apply to this Section.

9 (c) The United States Supreme Court in District of Columbia
10 v. Heller, 554 U.S. 570, 128 S.Ct. 2783 (2008) has recognized
11 that the Second Amendment to the United States Constitution
12 does not confer an unlimited right and that states may prohibit
13 the carrying of firearms in sensitive places. The Supreme Court
14 stated in the Heller decision: "Although we do not undertake an
15 exhaustive historical analysis today of the full scope of the
16 Second Amendment, nothing in our opinion should be taken to
17 cast doubt on longstanding prohibitions on the possession of
18 firearms by felons and the mentally ill, or laws forbidding the
19 carrying of firearms in sensitive places such as schools and
20 government buildings . . ." The Supreme Court also noted in a
21 footnote referencing this statement in the Heller decision
22 that: "We identify these presumptively lawful regulatory
23 measures only as examples; our list does not purport to be
24 exhaustive." This recognition was reiterated by the U. S.
25 Supreme Court in McDonald v. the City of Chicago, 561 U.S.
26 3025, 130 S.Ct. 3020 (2010), which incorporated the Second

1 Amendment against state action. The Supreme Court again stated:
2 "We made it clear in *Heller* that our holding did not cast doubt
3 on such longstanding regulatory measures as "prohibitions on
4 the possession of firearms by felons and the mentally ill,"
5 "laws forbidding the carrying of firearms in sensitive places
6 such as schools and government buildings . . . We repeat those
7 assurances here." Further, the federal 7th Circuit Court of
8 Appeals in *Moore v. Madigan*, 702 F.3d. 933 (7th Cir., 2012)
9 cited the "sensitive place" statement of the Supreme Court in
10 both the *Heller* and *McDonald* decisions and concluded: "That a
11 legislature can forbid the carrying of firearms in schools and
12 government buildings means that any right to possess a gun for
13 self-defense outside the home is not absolute, and it is not
14 absolute by the Supreme Court's own terms." Therefore, the
15 General Assembly finds that the place or location set forth in
16 subsection (a) of this Section is a sensitive place and the
17 prohibition on the carrying of firearms will promote public
18 safety in this sensitive place.

19 Section 250-10. Definitions. As used in this Act:

20 "Concealed firearm" means a loaded or unloaded handgun
21 carried on or about a person completely or mostly concealed
22 from view of the public, or carried in a vehicle in such a way
23 as it is concealed from view of the public.

24 "Department" means the Department of State Police.

25 "Director" means the Director of State Police.

1 "Fund" means the Citizen Safety and Self-Defense Trust
2 Fund.

3 "Handgun" means any device which is designed to expel a
4 projectile or projectiles by the action of an explosion,
5 expansion of gas, or escape of gas that is designed to be held
6 and fired by the use of a single hand, and includes a
7 combination of parts from which that firearm can be assembled.
8 "Handgun" includes, but is not limited, to magazines,
9 ammunition, laser sighting devices and other accessories
10 intrinsic to a handgun carried for defensive purposes.
11 "Handgun" does not include a stun gun or taser.

12 "License" means a license issued by the Department of State
13 Police to carry a loaded or unloaded handgun.

14 "Licensee" means a person issued a license to carry a
15 concealed firearm.

16 "Peace officer" means (i) any person who by virtue of his
17 or her office or public employment is vested by law with a duty
18 to maintain public order and to make arrests for offenses,
19 whether that duty extends to all offenses or is limited to
20 specific offenses, or (ii) any person who, by statute, is
21 granted and authorized to exercise powers similar to those
22 conferred upon any peace officer employed by a law enforcement
23 agency of this State. The term "peace officer" does not apply
24 to an alderman acting as a conservator of the peace under
25 Section 3.1-15-25 of the Illinois Municipal Code.

1 Section 250-15. Citizen Safety and Self-Defense Trust
2 Fund. Fees from applications for licenses shall be deposited
3 into the Citizen Safety and Self-Defense Trust Fund, a special
4 fund that is created in the State treasury. Moneys in the Fund
5 may be invested and any income from investments shall be
6 deposited into the Fund. Subject to appropriation, moneys in
7 the Fund shall exclusively be used to assist the Department
8 with the administrative costs associated with this Act.

9 Section 250-20. Issuance of licenses to carry a concealed
10 firearm.

11 (a) The Department shall issue a license to an applicant
12 who (i) meets the qualifications of Section 250-25 or Section
13 250-65; (ii) has provided the application and documentation
14 required in Section 250-30; and (iii) has submitted the
15 requisite fees. The Department shall issue a renewal,
16 corrected, or duplicate license in accordance with this Act.

17 (a-5) The Department is authorized to issue licenses to
18 carry a handgun under this Act. A license shall permit the
19 licensee to:

20 (1) carry a loaded or unloaded handgun on or about his
21 or her person, concealed or otherwise;

22 (2) keep or carry a loaded or unloaded handgun on or
23 about his or her person when in a vehicle; and

24 (3) keep a loaded or unloaded handgun openly or
25 concealed in a vehicle.

1 (a-10) A licensee shall possess a license at all times the
2 licensee carries a concealed firearm except (i) if the person
3 is carrying or possessing a concealed firearm and the person is
4 on his or her land, or in his or her abode or legal dwelling, or
5 in the abode or legal dwelling of another person as an invitee
6 with that person's permission; (ii) if the person is authorized
7 to carry a firearm under Section 24-2 of the Criminal Code of
8 2012; or (iii) the handgun is broken down in a non-functioning
9 state, or is not immediately accessible, or is enclosed in a
10 case, firearm carrying box, shipping box or any other
11 container.

12 (a-15) A licensee shall display the license upon the
13 request of a peace officer or person designated to enforce the
14 provisions of Section 250-70 when carrying a handgun under the
15 provisions of this Act.

16 (b) The Department shall make applications for a license
17 available upon the effective date of this Act. Applications
18 shall be available at Department locations, on the Department's
19 official website, and any other location designated by the
20 Department.

21 (c) A completed application for a license shall be
22 submitted to the Department with all accompanying materials and
23 fees. The Department shall promptly return an incomplete
24 application to the applicant. Each applicant for a license
25 shall submit an \$80 application fee to the Department, \$75 of
26 which shall be deposited into the State Police Firearm Services

1 Fund for use in administering the Firearm Owners Identification
2 Act and this Act, and \$5 of which shall be used to ensure the
3 reporting of individuals prohibited from owning or possessing
4 firearms due to mental health disqualifiers to the Department
5 by the Department of Human Services.

6 (d) The Department may consider an objection to an
7 application, provided the objection is in writing, includes
8 specific reasons for the objection, and is submitted with the
9 application by a municipal law enforcement agency or sheriff.
10 Any objection submitted by a sheriff or a municipal law
11 enforcement agency including reports submitted to the
12 Department must be disclosed to the applicant unless disclosure
13 would interfere with a criminal investigation. The Department
14 shall maintain a database of applicants searchable by county
15 that may be accessible by sheriffs for use in filing an
16 objection under this subsection.

17 If an applicant has been arrested 5 times or more for any
18 reason within the past 7 years, or has been arrested 3 times or
19 more within the past 7 years for any combination of
20 gang-related offenses, then the Department shall notify the
21 municipal law enforcement agency and sheriff of the applicant's
22 application. In such a case, it is presumed that the municipal
23 law enforcement agency and sheriff object to the applicant's
24 application, unless the municipal law enforcement agency and
25 sheriff affirmatively state, in writing, that it does not
26 object to the application. For purposes of this subsection,

1 "gang-related offense" is an offense described in paragraph (1)
2 of subsection (a) of Section 12-6.2, Section 12-6.4, paragraph
3 (2) of subsection (b) of 16-30, Section 24-1.8, Section 25-5,
4 paragraph (2) of subsection (b) of Section 31-4, Section 33-4,
5 Section 33G-4, and subparagraph (iii) of paragraph (1.5) of
6 subsection (i) of Section 48-1 of the Criminal Code of 2012.

7 (e) Notwithstanding subsection (a), the Department may
8 consider any objection or recommendation made by the sheriff or
9 a municipal law enforcement agency that demonstrates the
10 applicant is a danger to himself, herself, or others. Based
11 upon those objections, if the applicant is found by the
12 Department to be a danger to himself, herself, or others, the
13 Department shall deny the application and notify the applicant
14 and the sheriff or the municipal law enforcement agency in
15 writing, stating the grounds for denial. The notice of denial
16 must inform the applicant that he or she may, within 90 days
17 for the first year after this Act takes effect and within 45
18 days thereafter, appeal the denial and submit additional
19 materials relevant to the grounds for denial. Upon receiving
20 the additional documentation, the Department shall reconsider
21 its decision and inform the applicant within 30 days of the
22 result of the reconsideration. If upon reconsideration the
23 Department denies the application, the applicant must be
24 informed of the right to administrative review.

25 (f) During an administrative or judicial review of a denial
26 based on subsection (d) or (e) of this Section, the Department

1 shall have the burden of proving by clear and convincing
2 evidence that the applicant would pose a danger to the
3 applicant's self, another, or public safety, or would use a
4 firearm unlawfully, if granted a license to carry a concealed
5 firearm under this Act.

6 (g) The license shall be issued by the Department within 30
7 days of receipt of a completed application. A license shall be
8 valid throughout the State for a period of 5 years. If the
9 Department does not act on the application within the time
10 period provided in subsection (e), the applicant may file, in
11 the circuit court of the judicial circuit in which the
12 applicant resides, a complaint for mandamus to compel a
13 decision on the application. If the applicant prevails, he or
14 she shall be entitled to all costs, fees, and damages. If the
15 court decides that the reason for the denial was arbitrary,
16 capricious, malicious, or without merit, the court shall award
17 punitive damages.

18 (h) Any Illinois resident who has a license or permit to
19 carry a handgun issued by another state shall be able to carry
20 a handgun in accordance with this Act using that license for
21 365 days following the effective date of this Act.

22 (i) The Department shall adopt rules to implement the
23 provisions of this Section.

24 Section 250-25. Qualifications of an applicant for a
25 license. The Department shall issue a license to an applicant

1 completing an application in accordance with Section 250-30 of
2 this Act if the person:

3 (a) is at least 21 years of age;

4 (b) has a valid Firearm Owner's Identification Card or,
5 if applying for a non-resident license, has a notarized
6 document stating that the applicant is eligible under
7 federal law and the laws of his or her home state to
8 possess a firearm;

9 (c) is not prohibited under the Firearm Owners
10 Identification Card Act or federal law from possessing or
11 receiving a firearm;

12 (d) is not the subject of a pending arrest warrant,
13 prosecution, or proceeding for an offense or action that
14 could lead to disqualification under subsection (c);

15 (e) does not chronically or habitually abuse alcoholic
16 beverages, as evidenced by either of the following within
17 the 3 years immediately preceding the application:

18 (1) residential or court-ordered treatment for
19 alcoholism or alcohol detoxification; or

20 (2) 2 or more convictions for driving while under
21 the influence or driving while intoxicated; and

22 (f) has completed firearms training and any
23 educational component required in Section 250-85 of this
24 Act.

25 Section 250-30. Contents of application.

1 (a) The application shall be in writing, under oath and
2 penalty of perjury, on a standard form adopted by the
3 Department and shall be accompanied by the documentation
4 required in this Section and all applicable fees.

5 (b) The application shall contain the following
6 information:

7 (1) the applicant's name, current address, gender,
8 date and year of birth, place of birth, height, weight,
9 hair color, eye color, maiden name or any other name the
10 applicant has used or identified with, and any address at
11 which the applicant resided for more than 30 days within
12 the 5 years preceding the date of the application;

13 (2) the applicant's drivers license or state
14 identification card number and the last 4 digits of the
15 applicant's social security number;

16 (3) questions to certify or demonstrate the applicant
17 has completed firearms training and any educational
18 component required in Section 250-85 of this Act;

19 (4) a statement that the applicant is a resident of the
20 State of Illinois, except persons applying under Section
21 250-65 shall be instructed to submit the information
22 required in that Section;

23 (5) a waiver of privacy and confidentiality rights and
24 privileges enjoyed by the applicant under State and federal
25 law sufficient to obtain access to juvenile court, criminal
26 justice, psychological, or psychiatric records, or records

1 relating to the applicant's history, if any, of
2 institutionalization or inpatient treatment for alcoholism
3 or alcohol detoxification, as well as an affirmative
4 request that any person having custody of those records
5 provide copies of them or information concerning them to
6 the Department for the sole purpose of making a
7 determination of an applicant's eligibility under Section
8 250-25;

9 (6) a conspicuous warning that false statements made by
10 the applicant will result in prosecution for perjury in
11 accordance with Section 32-2 of the Criminal Code of 2012;

12 (7) an affirmation that the applicant either possesses
13 a currently valid Illinois Firearm Owner's Identification
14 Card, in which case the application shall include the card
15 number, or is applying for the card in conjunction with the
16 application for a license, except persons applying under
17 Section 250-65 shall be instructed to submit a copy of a
18 valid license to carry a handgun issued by their home
19 state, if applicable, or submit a notarized document
20 stating the applicant is eligible under the laws of his or
21 her home state to possess a handgun;

22 (8) an affirmation that the applicant meets the
23 requirements of Section 250-25 and is not prohibited under
24 the Firearm Owners Identification Card Act or federal law
25 from possessing a firearm; and

26 (9) an affirmation that the applicant has read and

1 understands Article 7 of the Criminal Code of 2012
2 (Justifiable Use of Force; Exoneration).

3 (c) A person applying for a license shall provide a head
4 and shoulder color photograph in a size specified by the
5 Department that was taken within the 30 days preceding the date
6 of the application. The applicant shall consent to the
7 Department reviewing and using the applicant's digital
8 driver's license or Illinois Identification Card photograph
9 and signature, if available. The Secretary of State shall allow
10 the Department access to the photograph and signature for the
11 purpose of identifying the applicant and issuing the applicant
12 a license.

13 (d) The Department may request a person applying for a
14 license to submit a full set of legible fingerprints if
15 necessary to determine the person's identity. Fingerprinting
16 may be administered by the Department or any other federal,
17 State, county, or municipal law enforcement agency or private
18 vendor or company. The cost of fingerprinting shall be paid by
19 the applicant, provided that the Department or law enforcement
20 agency may charge no more than \$15 for a single set of
21 fingerprints. Each applicant for a license that the Department
22 requests to have his or her fingerprints submitted to the
23 Department shall submit them in an electronic format that
24 complies with the form and manner for requesting and furnishing
25 criminal history record information as prescribed by the
26 Department. These fingerprints shall be checked against the

1 Department and the Federal Bureau of Investigation criminal
2 history record databases. The Department shall charge
3 applicants a fee for conducting the criminal history records
4 check, which shall be deposited in the State Police Services
5 Fund and shall not exceed the actual cost of the criminal
6 history records check.

7 (e) A person applying for a license shall submit a
8 photocopy of a certificate or other evidence of completion of a
9 course to show compliance with Section 250-85 of this Act.

10 (f) The Department is authorized to establish a system for
11 electronically submitting applications, including applications
12 for renewal or a replacement license.

13 Section 250-35. Database of applicants and licensees. Not
14 more than one year after the effective date of this Act:

15 (a) The Department shall maintain a database of applicants
16 for a license and licenses. The database shall be available to
17 all Illinois law enforcement agencies, State's Attorneys, and
18 the Attorney General. Members and staff of the judiciary may
19 access the database for the purpose of determining whether to
20 confiscate a license or to ensure compliance with this Act or
21 any other law. The database shall be searchable and provide all
22 information included in the application, a photo of the
23 applicant or licensee, and any information related to
24 violations of this Act.

25 (a-5) Individual law enforcement agencies or any other

1 entity of local government shall not maintain any separate
2 records, lists, or searchable databases of applicants and
3 licensees containing information included in the Department's
4 database. Any law enforcement agency or other entity that
5 violates this Section shall be liable for all costs, fees, and
6 damages of not less than \$5,000 per record or name kept in
7 violation of this Section.

8 (b) The Department shall make available on its website and
9 upon request under the Freedom of Information Act statistical
10 information about the number of licenses issued by county, age,
11 race, or gender. The report shall be updated monthly. Except as
12 provided in this subsection, applications and information in
13 the database shall be confidential and exempt from disclosure
14 under the Freedom of Information Act. The Department may answer
15 requests to confirm or deny whether a person has been issued a
16 license as part of inquiries dealing with a criminal
17 investigation. Individual law enforcement agencies, State's
18 Attorneys, the Attorney General, members of the judiciary, and
19 judicial staff shall sign a confidentiality agreement,
20 prepared by the Department, prior to receiving access to the
21 database. No law enforcement agency, State's Attorney, the
22 Attorney General, or member or staff of the judiciary, other
23 than the Department, shall provide any information to a
24 requester not entitled to it by law, except as required or
25 necessary for the conduct of a criminal investigation.

1 Section 250-40. Suspension or revocation of a license.

2 (a) A license issued or renewed under this Act shall be
3 revoked if, at any time, the licensee is found ineligible for a
4 license based on the criteria set forth in Section 250-25 of
5 this Act or the licensee no longer possesses a Firearm Owner's
6 Identification Card or a non-resident licensee if his or her
7 home state has revoked a license to carry a firearm. A license
8 shall not be revoked unless the revocation is for reasons
9 specifically authorized by this Act. This subsection shall not
10 apply to a person who has filed an application with the State
11 Police for renewal of a Firearm Owner's Identification Card and
12 who is not otherwise ineligible to obtain a Firearm Owner's
13 Identification Card.

14 (b) A license shall be suspended if an order of protection
15 under Section 112A-14 of the Code of Criminal Procedure of 1963
16 or under Section 214 of the Illinois Domestic Violence Act of
17 1986 is issued against a licensee. The license shall be
18 suspended for the duration of the order or until the order is
19 terminated by a court and the Department shall not reissue or
20 renew a license for the duration of the order or until the
21 order is terminated. If an order of protection is issued
22 against a licensee, the licensee shall surrender the license,
23 as applicable, to the court at the time the order is entered or
24 to the law enforcement agency or entity designated to serve
25 process at the time the licensee is served the order. The
26 court, law enforcement agency, or entity responsible for

1 serving the order shall transmit the license to the Department.

2 (c) The Department may suspend a license for a violation of
3 Section 250-70 of this Act in accordance with subsection (i) of
4 Section 250-70.

5 (d) A license shall be invalid upon expiration of the
6 license, unless the licensee has submitted an application to
7 renew the license. A person who fails to renew his or her
8 license within 6 months after its expiration must reapply for a
9 new license and pay the fee for a new application.

10 (e) The Department may suspend a license for up to 90 days
11 if a licensee fails to submit a change of address or name or
12 fails to report a lost or destroyed license to the Department
13 within 60 days of the discovery of the loss or destruction of
14 the license.

15 Section 250-45. Renewal of license.

16 (a) Not later than 120 days before the expiration of any
17 license issued under this Act, the Department shall notify the
18 licensee in writing of the expiration and furnish an
19 application for renewal of the license or make the application
20 available on-line.

21 (b) Applications for renewal of a license shall be made to
22 the Department. A license shall be renewed for a period of 5
23 years upon receipt of a completed renewal application and a \$25
24 renewal fee. An applicant for a renewal shall submit, on a form
25 prescribed by the Department, proof that the applicant has: (i)

1 participated in at least one shooting competition with a
2 handgun within 6 months of the application for renewal and
3 attested to by any instructor qualified under this Act; or (ii)
4 completed an equivalent range exercise as prescribed in Section
5 250-85 and attested to by any instructor qualified under this
6 Act. The Department shall make the range recertification form
7 available on its website or as part of a renewal application.

8 Section 250-50. Change of address, change of name, or lost
9 or destroyed licenses.

10 (a) The licensee shall notify the Department within 60 days
11 of: (i) moving or changing a residence or any change of name;
12 or (ii) the discovery of the loss or destruction of a license.

13 (b) If a licensee changes residence within this State or
14 changes his or her name, the licensee shall request a new
15 license. The licensee shall submit a \$25 fee, a notarized
16 statement that the licensee has changed residence or his or her
17 name, and a photograph as required in Section 250-30 of this
18 Act. The statement must include the prior and current address
19 or name and the date the applicant moved or changed his or her
20 name.

21 (c) A lost or destroyed license shall be invalid. To
22 request a new license, the licensee shall submit (i) a \$25 fee,
23 (ii) a notarized statement that the licensee no longer
24 possesses the license and that it was lost or destroyed, or
25 (iii) a copy of a police report stating that the license was

1 lost, destroyed, or stolen, and (iv) a photograph as required
2 in Section 250-30 of this Act.

3 Section 250-65. Non-resident applications and reciprocity.

4 (a) A person from another state or territory of the United
5 States may apply for a non-resident license. The applicant
6 shall apply to the Department and must meet the qualifications
7 established in Section 250-25. The applicant shall submit:

8 (1) the application and documentation required in
9 Section 250-30;

10 (2) a notarized document stating the applicant:

11 (A) is eligible under federal law and the laws of
12 his or her home state to possess a firearm;

13 (B) if applicable, has a license or permit to carry
14 a firearm or concealed firearm issued by his or her
15 home state and that a copy is attached to the
16 application;

17 (C) is familiar with Illinois laws pertaining to
18 the possession and transport of firearms; and

19 (D) acknowledges that the applicant is subject to
20 the jurisdiction of the Department and Illinois courts
21 for any violation of this Act; and

22 (3) a \$25 application fee.

23 In lieu of an Illinois State driver's license or
24 identification card, the person shall provide similar
25 documentation from his or her state or territory; a

1 non-resident shall not be required to have a Firearm Owner's
2 Identification Card.

3 (b) (1) Notwithstanding subsection (a) a nonresident of
4 Illinois may carry a handgun in accordance with this Act if the
5 nonresident:

6 (A) is 21 years of age or older;

7 (B) has in his or her immediate possession a valid
8 license that authorizes the individual to carry a concealed
9 firearm issued to him or her by his or her home state; and

10 (C) is a legal resident of the United States.

11 The Department shall recognize any other state's license or
12 permit whose requirements to obtain a license or permit is
13 substantially similar to those requirements contained in
14 Section 250-85. When required by another state, the Department
15 shall enter into a reciprocal agreement with that state. Those
16 states with substantially similar laws include, but are not
17 limited to: Arizona, California, Florida, Iowa, Kentucky,
18 Michigan, Minnesota, Missouri, New Mexico, Ohio, Tennessee,
19 Texas, and Wisconsin.

20 (2) A nonresident is subject to the same laws and
21 restrictions with respect to carrying a handgun as a resident
22 of Illinois who is licensed under this Act.

23 (3) If the resident of another state who is the holder of a
24 valid license to carry a concealed weapon or concealed firearm
25 issued in another state establishes legal residence in this
26 State the license shall remain in effect for 90 days following

1 the date on which the holder of the license establishes legal
2 residence in this State. For the purposes of this paragraph,
3 the person may establish legal residence in this State by: (A)
4 registering to vote; or (B) obtaining an Illinois driver's
5 license or state identification card; or (C) filing for
6 homestead tax exemption on property in this State.

7 Section 250-70. Restrictions.

8 (a) No license issued under this Act shall authorize any
9 person to knowingly carry a concealed firearm into:

10 (1) Any building under control of the General Assembly
11 or any of its support service agencies, including the
12 portion of a building in which a committee of the General
13 Assembly convenes for the purpose of conducting meetings of
14 committees, joint committees, or legislative commissions;
15 except that nothing in this Section shall prevent a member
16 of the General Assembly from allowing licensees to carry a
17 firearm into his or her district office.

18 (2) Any courthouse or part of that building that is
19 occupied by the Circuit, Appellate, or Supreme Court, or a
20 room designated for court proceedings by any of these
21 courts, except as provided in subsection (a-5).

22 (3) Any meeting of the governing body of a unit of
23 local government or special district.

24 (4) Any establishment licensed to dispense alcoholic
25 beverages for consumption on the premises if less than 50%

1 of its annual gross income comes from the sale of food.

2 (5) Any secure area of an airport to which access is
3 controlled by the inspection of persons and property.

4 (6) Any place where the carrying of a firearm is
5 prohibited by federal law.

6 (7) Any elementary or secondary school building
7 without the consent of school authorities. School
8 authorities shall inform the appropriate law enforcement
9 agency and any law enforcement personnel on site of that
10 consent.

11 (8) Any portion of a building used as a child care
12 facility without the consent of the owner or manager.
13 Nothing in this Section shall prevent the operator of a
14 child care facility in a family home from owning or
15 possessing a firearm or license.

16 (9) Any casino licensed under the Riverboat Gambling
17 Act. This shall not apply to any place of business that is
18 not a casino licensed for video gaming.

19 (10) Any gated area of an amusement park.

20 (11) Any stadium, arena, or collegiate or professional
21 sporting event.

22 (12) A residential mental health facility.

23 (13) Any community college, college, or university
24 building without consent of the school authorities. School
25 authorities shall inform the appropriate law enforcement
26 agency and any law enforcement personnel on site of that

1 consent. A community college, college, or university may
2 prohibit the carrying of a firearm on its campus.

3 (14) A public library building without the written
4 consent of the library's governing body. The governing body
5 shall inform the appropriate law enforcement agency of that
6 consent.

7 (15) Any police, sheriff, or State Police office or
8 station without the consent of the chief law enforcement
9 officer in charge of that office or station.

10 (16) Any adult or juvenile detention or correctional
11 institution, prison, or jail.

12 (a-5) Judges, State's Attorneys and assistant State's
13 Attorneys with the permission of the State's Attorney, who
14 possess a valid license under this Act may possess a firearm in
15 any courthouse in which they are employed, but shall be
16 required to follow any rules applicable to sworn peace officers
17 to maintain facility security.

18 (b) A municipality, county, or school district may prohibit
19 or limit licensees from carrying a firearm into or within any
20 building or portion of any building owned, leased, or
21 controlled by the municipality, county, or school district by a
22 majority vote of the members of its legislative body or
23 governing board. The resolution, ordinance, or policy shall not
24 prohibit a licensee from carrying a concealed firearm into or
25 within any building used for public housing; into or within any
26 publicly-accessible restroom or rest stop; into, within, or on

1 any bridge, tunnel, overpass, underpass, elevated walkway, or
2 other structure used as a public right of way; or into or
3 within any publicly-accessible parking facility. The
4 resolution, ordinance, or policy shall not prohibit a licensee
5 from carrying a concealed firearm in a public transportation
6 facility or while accessing the services of a public
7 transportation agency, including while traveling via public
8 transportation. For purposes of this Section, "public
9 transportation agency" means a public or private agency, or any
10 combination thereof, that provides for the transportation or
11 conveyance of persons by means available to the general public,
12 except taxicabs, livery cabs, or limousines. Violators of the
13 resolution or ordinance may be removed from the premises and
14 assessed a civil fine of up to \$100.

15 (c) The owner of a business or commercial lessee, or a
16 private business enterprise, or any other private
17 organization, entity, or person, may prohibit licensees from
18 carrying a concealed firearm on the premises under its control.
19 However, a private landlord of a residential or commercial
20 property shall not prohibit any lessee from possessing or
21 carrying a firearm in accordance with this Act in or on the
22 leased premises or during ingress or egress of the leased
23 premises. The owner, business or commercial lessee, or manager
24 of a private business enterprise or any other private
25 organization, entity, or person who allows the carrying of a
26 firearm by a licensee shall not be liable for any act of the

1 licensee that arises out of the licensee carrying a firearm.

2 (c-1) The Governor, Lieutenant Governor, Attorney General,
3 Secretary of State, Comptroller, or Treasurer may prohibit
4 licensees from carrying a handgun in buildings under their
5 control.

6 (d) Any person licensed under this Act who is prohibited
7 from carrying a concealed firearm into a building by the
8 provisions of subsection (a) or under an ordinance, resolution,
9 or policy adopted in accordance with subsection (b) or (c)
10 shall be permitted to store that firearm or ammunition out of
11 plain sight in his or her locked vehicle or in a locked
12 compartment or container within or securely affixed to the
13 outside of the vehicle. A licensee shall not be in violation of
14 this Section while he or she is traversing a public right of
15 way that touches or crosses any of the premises specified in
16 subsection (a) or from which firearms are prohibited under the
17 provisions of subsection (b) or (c), provided that the firearm
18 is carried on his or her person or in a vehicle in accordance
19 with this Act or is being transported in a case or container in
20 accordance with applicable law. A licensee shall not be in
21 violation of subsection (b) or (c) if the responsible party for
22 the premises fails to conspicuously post notice of the
23 prohibition at all public entrances to the building in
24 accordance with subsection (g).

25 (e) If a law enforcement officer initiates an investigative
26 stop, including but not limited to a traffic stop, of a

1 licensee who is carrying a concealed firearm under the
2 provisions of this Act, the licensee shall disclose as soon as
3 reasonably possible to the officer that he or she is in
4 possession of a concealed firearm under this Act. Disclosure
5 may be accomplished by oral notification or by providing or
6 displaying the license to carry a concealed firearm to the
7 officer. Any firearm that is removed from a licensee during an
8 investigative stop shall be returned immediately to the
9 licensee in its original condition upon conclusion of the stop
10 unless the licensee is placed under arrest.

11 (f) A licensee shall not carry a handgun under the
12 provisions of this Act while under the influence of illegal
13 drugs or hallucinogenic drugs or alcohol. For the purposes of
14 this subsection (f), under the influence of alcohol means a
15 blood alcohol content of .08 or greater.

16 (g) Signs stating that the carrying of a firearm is
17 prohibited shall be clearly and conspicuously posted at every
18 entrance of a building or premises specified in subsection (a)
19 or designated in accordance with subsection (b) or (c). Signs
20 shall be of a uniform size and design, not smaller than 8
21 inches by 10 inches as prescribed by the Department. The
22 Department shall adopt rules for standardized signs to be used
23 under this subsection.

24 (h) A violation of subsection (a), (b), (c), (d), or (f),
25 shall not be a criminal offense, but the licensee may be denied
26 access to or removed from the premises by management,

1 administration, or an authorized agent of the facility. If the
2 licensee refuses to obey these requests, law enforcement may be
3 summoned and the licensee may be cited for a petty offense and
4 fined not more than \$100 plus costs for the first offense. If a
5 second violation occurs within 6 months of the first, the fine
6 may be up to \$200 plus costs and the license to carry a handgun
7 may be suspended for 30 days. If a third violation occurs
8 within a year of the first offense, the fine may be up to \$500
9 plus costs and the license may be suspended for 6 months. If a
10 licensee has more than 5 violations in 2 years for the above
11 offenses, the Department may revoke the license to carry a
12 handgun and the licensee shall not be eligible to receive
13 another license for a period of 3 years after the last
14 violation. After the revocation period expires, the licensee
15 shall file a new application with new documentation as
16 prescribed in Section 250-30 or Section 250-65 in order to
17 receive a new license.

18 (i) A violation of subsection (e) is a petty offense; the
19 licensee may be fined up to \$200 plus costs plus a \$50 fee to be
20 deposited in the Citizen Safety and Self-Defense Fund. A second
21 violation of subsection (e) may carry a fine of up to \$500 plus
22 costs and \$50 fee and suspension of the license for up to 6
23 months. A licensee with 3 or more violations of subsection (e)
24 within 2 years may have his or her license revoked for up to 3
25 years. After the revocation period expires, the licensee shall
26 file a new application with new documentation as prescribed in

1 Section 250-30 or Section 250-65 in order to receive a new
2 license.

3 Section 250-75. Immunity, employees, and agents. The
4 office of the county sheriff, or any employee or agent of the
5 county sheriff, or the Department of State Police shall not be
6 liable for damages in any civil action arising from alleged
7 wrongful or improper granting, renewing, or failure to revoke
8 licenses issued under this Act, except for willful or wanton
9 misconduct. The office of the county sheriff and any employees
10 or agents shall not be liable for submitting specific or
11 articulable reasons why an applicant should be denied a
12 license, unless the objection contains false, malicious, or
13 inaccurate information and the objection constituted willful
14 and wanton misconduct. Any owner, business or commercial
15 lessee, landlord, manager of a private business enterprise,
16 employer, or any other organization, entity, person, public or
17 private college, university, or post-secondary educational
18 institution that does not prohibit licensees from carrying
19 firearms on property it owns or occupies is immune from any
20 liability arising from its decision.

21 Section 250-80. Fees.

22 (a) Fees collected under this Act by the Department and
23 deposited into the Citizen Safety and Self-Defense Trust Fund
24 shall be appropriated for administration of this Act.

1 (b) Fees shall be:

2 New license: \$80.

3 Renewal of license: \$25.

4 Duplicate license due to lost or destroyed: \$15.

5 Corrected license due to change of address or name: \$15.

6 (c) By March 1 of each year, the Department shall submit a
7 statistical report to the Governor, the President of the
8 Senate, and the Speaker of the House of Representatives
9 indicating the number of licenses issued, revoked, suspended,
10 denied, and issued after appeal since the last report and in
11 total and also the number of licenses currently valid. The
12 report shall also include the number of arrests and convictions
13 and the types of crimes committed by licensees since the last
14 report.

15 (d) The Secretary of State shall conduct a study to
16 determine the cost and feasibility of creating a method of
17 adding an identifiable code, background, or other means to show
18 that an individual has been issued a license by the Department
19 on the person's driver's license or State-issued
20 identification card.

21 Section 250-85. Applicant training.

22 (a) Applicants shall provide proof of completion of at
23 least one of the following courses:

24 (1) National Rifle Association Basic Personal
25 Protection In The Home Course.

1 (2) National Rifle Association Basics of Personal
2 Protection Outside The Home Course.

3 (3) National Rifle Association Basic Pistol Shooting
4 Course.

5 (4) Any other firearms training course of at least 6
6 hours that covers the following:

7 (A) handgun safety in the classroom, at home, on
8 the firing range, and while carrying the firearm;

9 (B) the basic principles of marksmanship;

10 (C) care and cleaning of handguns;

11 (D) laws relating to the justifiable use of force.

12 (b) Applicants shall provide proof of certification by a
13 certified instructor that the applicant passed a live fire
14 exercise with a handgun consisting of:

15 (1) a minimum of 30 rounds; and

16 (2) 10 rounds from a distance of 5 yards, 10 rounds
17 from a distance of 7 yards, and 10 rounds from a distance
18 of 10 yards at a B-27 silhouette or equivalent target as
19 approved by the Department.

20 (b-5) Students may provide their own safe, functional
21 handgun. The qualification shall be performed with
22 factory-loaded ammunition.

23 (b-6) Grades of "passing" shall not be given on range work
24 to an applicant who:

25 (1) does not follow the orders of the certified
26 firearms instructor;

1 (2) in the judgment of the certified firearms
2 instructor, handles a firearm in a manner that poses a
3 danger to the applicant or to others; or

4 (3) during the testing portion of the range work fails
5 to hit the silhouette portion of the target with 70% of the
6 30 rounds fired.

7 (c) The classroom portion of the course may, at the
8 qualified firearms instructor's discretion, be divided into
9 segments of not less than 2 hours each.

10 (d) Instructors shall maintain all records for students'
11 performance for not less than 5 years.

12 (e) Certified firearms instructors shall:

13 (1) allow monitoring of their classes by officials of
14 any certifying agency;

15 (2) make all course records available upon demand to
16 authorized personnel of the Department; and

17 (3) not divulge course records except as authorized by
18 the certifying agency.

19 (f) Fees for applicant training courses shall be set by the
20 instructor.

21 (g) An applicant training course shall not have more than
22 40 students in the classroom portion nor more than 5 students
23 per range officer engaged in range firing.

24 (h) Persons with the following training or certifications
25 are exempt from the requirements of subsection (a) of this
26 Section:

1 (1) An National Rifle Association certified
2 instructor.

3 (2) An individual who has qualified to carry a firearm
4 as a retired law enforcement officer.

5 (3) Any active, retired, or honorably discharged
6 member of the armed forces.

7 (4) An individual certified as a law enforcement
8 instructor by the Illinois Law Enforcement Training
9 Standards Board or other equivalent agency.

10 Section 250-90. Firearms instructors training.

11 (a) Not later than 30 days after the effective date of this
12 Act, the Department shall establish a registry of instructors
13 who are eligible to teach courses or sign off on range
14 qualifications, or both, to meet the requirements of Section
15 250-85 of this Act.

16 (b) Instructors who are eligible to teach courses and
17 certify range qualifications shall have one of the following
18 valid firearms instructor certifications:

19 (1) National Rifle Association Personal Protection
20 Instructor;

21 (2) National Rifle Association Basic Pistol
22 Instructor;

23 (3) National Rifle Association Law Enforcement Firearm
24 Instructor with a certification for handguns;

25 (4) Certification from a firearms instructor's course

1 offered by a State or federal governmental agency; or

2 (5) A similar firearms instructor qualifying course
3 approved by the Illinois Law Enforcement Training
4 Standards Board.

5 (c) Instructors who are eligible to teach courses and
6 certify range qualifications shall be at least 21 years of age
7 and possess at least a high school diploma or GED certificate.

8 (d) An applicant may have his or her instructor
9 qualification revoked if the applicant:

10 (1) does not meet the requirements of this Act to
11 possess a concealed firearms permit;

12 (2) provides false or misleading information to the
13 Board; or

14 (3) has had a prior instructor qualification revoked by
15 the Board or other certifying organization.

16 Section 250-95. Home Rule Preemption. The regulation and
17 licensing of firearms, including their possession, carrying,
18 transportation, or the issuance of licenses to carry concealed
19 firearms, is an exclusive power and function of the State.
20 Except as provided in subsection (b) of Section 250-70, a home
21 rule unit shall not regulate the possession, carrying, or
22 transportation of firearms, their components or accessories,
23 or ammunition. A home rule unit shall not require registration
24 of firearms, regulate the number of firearms, or make any other
25 requirements or regulations of a person licensed under this

1 Act. This Section is a limitation under subsection (i) of
2 Section 6 of Article VII of the Illinois Constitution on the
3 exercise by home rule units of powers and functions exercised
4 by the State. Any unit of local government that violates this
5 Section shall be liable for all costs, fees, and damages to
6 anyone impacted by any rule or ordinance.

7 Section 250-100. Expedited appeal. A judgment of a circuit
8 court declaring this Act or any part of this Act
9 unconstitutional or unenforceable is appealable directly to
10 the Supreme Court. The notice of appeal shall be filed within
11 30 days after the judgment of the circuit court declaring this
12 Act or any part of this Act unconstitutional or unenforceable.
13 The manner of appeal shall be as provided in Supreme Court
14 Rules.

15 Section 250-105. Severability. The provisions of this Act
16 are severable under Section 1.31 of the Statute on Statutes.

17 Section 255-5. The Freedom of Information Act is amended by
18 changing Section 7.5 as follows:

19 (5 ILCS 140/7.5)

20 Sec. 7.5. Statutory Exemptions. To the extent provided for
21 by the statutes referenced below, the following shall be exempt
22 from inspection and copying:

1 (a) All information determined to be confidential under
2 Section 4002 of the Technology Advancement and Development Act.

3 (b) Library circulation and order records identifying
4 library users with specific materials under the Library Records
5 Confidentiality Act.

6 (c) Applications, related documents, and medical records
7 received by the Experimental Organ Transplantation Procedures
8 Board and any and all documents or other records prepared by
9 the Experimental Organ Transplantation Procedures Board or its
10 staff relating to applications it has received.

11 (d) Information and records held by the Department of
12 Public Health and its authorized representatives relating to
13 known or suspected cases of sexually transmissible disease or
14 any information the disclosure of which is restricted under the
15 Illinois Sexually Transmissible Disease Control Act.

16 (e) Information the disclosure of which is exempted under
17 Section 30 of the Radon Industry Licensing Act.

18 (f) Firm performance evaluations under Section 55 of the
19 Architectural, Engineering, and Land Surveying Qualifications
20 Based Selection Act.

21 (g) Information the disclosure of which is restricted and
22 exempted under Section 50 of the Illinois Prepaid Tuition Act.

23 (h) Information the disclosure of which is exempted under
24 the State Officials and Employees Ethics Act, and records of
25 any lawfully created State or local inspector general's office
26 that would be exempt if created or obtained by an Executive

1 Inspector General's office under that Act.

2 (i) Information contained in a local emergency energy plan
3 submitted to a municipality in accordance with a local
4 emergency energy plan ordinance that is adopted under Section
5 11-21.5-5 of the Illinois Municipal Code.

6 (j) Information and data concerning the distribution of
7 surcharge moneys collected and remitted by wireless carriers
8 under the Wireless Emergency Telephone Safety Act.

9 (k) Law enforcement officer identification information or
10 driver identification information compiled by a law
11 enforcement agency or the Department of Transportation under
12 Section 11-212 of the Illinois Vehicle Code.

13 (l) Records and information provided to a residential
14 health care facility resident sexual assault and death review
15 team or the Executive Council under the Abuse Prevention Review
16 Team Act.

17 (m) Information provided to the predatory lending database
18 created pursuant to Article 3 of the Residential Real Property
19 Disclosure Act, except to the extent authorized under that
20 Article.

21 (n) Defense budgets and petitions for certification of
22 compensation and expenses for court appointed trial counsel as
23 provided under Sections 10 and 15 of the Capital Crimes
24 Litigation Act. This subsection (n) shall apply until the
25 conclusion of the trial of the case, even if the prosecution
26 chooses not to pursue the death penalty prior to trial or

1 sentencing.

2 (o) Information that is prohibited from being disclosed
3 under Section 4 of the Illinois Health and Hazardous Substances
4 Registry Act.

5 (p) Security portions of system safety program plans,
6 investigation reports, surveys, schedules, lists, data, or
7 information compiled, collected, or prepared by or for the
8 Regional Transportation Authority under Section 2.11 of the
9 Regional Transportation Authority Act or the St. Clair County
10 Transit District under the Bi-State Transit Safety Act.

11 (q) Information prohibited from being disclosed by the
12 Personnel Records Review Act.

13 (r) Information prohibited from being disclosed by the
14 Illinois School Student Records Act.

15 (s) Information the disclosure of which is restricted under
16 Section 5-108 of the Public Utilities Act.

17 (t) All identified or deidentified health information in
18 the form of health data or medical records contained in, stored
19 in, submitted to, transferred by, or released from the Illinois
20 Health Information Exchange, and identified or deidentified
21 health information in the form of health data and medical
22 records of the Illinois Health Information Exchange in the
23 possession of the Illinois Health Information Exchange
24 Authority due to its administration of the Illinois Health
25 Information Exchange. The terms "identified" and
26 "deidentified" shall be given the same meaning as in the Health

1 Insurance Accountability and Portability Act of 1996, Public
2 Law 104-191, or any subsequent amendments thereto, and any
3 regulations promulgated thereunder.

4 (u) Records and information provided to an independent team
5 of experts under Brian's Law.

6 (v) Names and information of people who have applied for or
7 received Firearm Owner's Identification Cards under the
8 Firearm Owners Identification Card Act.

9 (w) Personally identifiable information which is exempted
10 from disclosure under subsection (g) of Section 19.1 of the
11 Toll Highway Act.

12 (x) Information which is exempted from disclosure under
13 Section 5-1014.3 of the Counties Code or Section 8-11-21 of the
14 Illinois Municipal Code.

15 (y) Information maintained by the Department of State
16 Police in accordance with subsection (a) of Section 250-35 of
17 the Family and Personal Protection Act, except as authorized by
18 that Act.

19 (Source: P.A. 96-542, eff. 1-1-10; 96-1235, eff. 1-1-11;
20 96-1331, eff. 7-27-10; 97-80, eff. 7-5-11; 97-333, eff.
21 8-12-11; 97-342, eff. 8-12-11; 97-813, eff. 7-13-12; 97-976,
22 eff. 1-1-13.)

23 Section 255-10. The Department of State Police Law of the
24 Civil Administrative Code of Illinois is amended by changing
25 Sections 2605-45 and 2605-300 and by adding Section 2605-595 as

1 follows:

2 (20 ILCS 2605/2605-45) (was 20 ILCS 2605/55a-5)

3 Sec. 2605-45. Division of Administration. The Division of
4 Administration shall exercise the following functions:

5 (1) Exercise the rights, powers, and duties vested in
6 the Department by the Governor's Office of Management and
7 Budget Act.

8 (2) Pursue research and the publication of studies
9 pertaining to local law enforcement activities.

10 (3) Exercise the rights, powers, and duties vested in
11 the Department by the Personnel Code.

12 (4) Operate an electronic data processing and computer
13 center for the storage and retrieval of data pertaining to
14 criminal activity.

15 (5) Exercise the rights, powers, and duties vested in
16 the former Division of State Troopers by Section 17 of the
17 State Police Act.

18 (6) Exercise the rights, powers, and duties vested in
19 the Department by "An Act relating to internal auditing in
20 State government", approved August 11, 1967 (repealed; now
21 the Fiscal Control and Internal Auditing Act, 30 ILCS 10/).

22 (6.5) Exercise the rights, powers, and duties vested in
23 the Department by the Firearm Owners Identification Card
24 Act.

25 (6.10) Exercise the rights, powers, and duties vested

1 in the Department by the Family and Personal Protection
2 Act.

3 (7) Exercise other duties that may be assigned by the
4 Director to fulfill the responsibilities and achieve the
5 purposes of the Department.

6 (Source: P.A. 94-793, eff. 5-19-06.)

7 (20 ILCS 2605/2605-300) (was 20 ILCS 2605/55a in part)
8 Sec. 2605-300. Records; crime laboratories; personnel. To
9 do the following:

10 (1) Be a central repository and custodian of criminal
11 statistics for the State.

12 (2) Be a central repository for criminal history record
13 information.

14 (3) Procure and file for record information that is
15 necessary and helpful to plan programs of crime prevention,
16 law enforcement, and criminal justice.

17 (4) Procure and file for record copies of fingerprints
18 that may be required by law.

19 (5) Establish general and field crime laboratories.

20 (6) Register and file for record information that may
21 be required by law for the issuance of firearm owner's
22 identification cards under the Firearm Owners
23 Identification Card Act and concealed carry licenses under
24 the Family and Personal Protection Act.

25 (7) Employ polygraph operators, laboratory

1 technicians, and other specially qualified persons to aid
2 in the identification of criminal activity.

3 (8) Undertake other identification, information,
4 laboratory, statistical, or registration activities that
5 may be required by law.

6 (Source: P.A. 90-18, eff. 7-1-97; 90-130, eff. 1-1-98; 90-372,
7 eff. 7-1-98; 90-590, eff. 1-1-00; 90-655, eff. 7-30-98; 90-793,
8 eff. 8-14-98; 91-239, eff. 1-1-00.)

9 (20 ILCS 2605/2605-595 new)

10 Sec. 2605-595. State Police Firearm Services Fund.

11 (a) There is created in the State treasury a special fund
12 known as the State Police Firearm Services Fund. The Fund shall
13 receive revenue as provided under Section 5 of the Firearm
14 Owners Identification Card Act, and under the Family and
15 Personal Protection Act. The Fund may also receive revenue from
16 grants, pass-through grants, donations, appropriations, and
17 any other legal source.

18 (b) The Department of State Police may use moneys in the
19 Fund to finance any of its lawful purposes, mandates,
20 functions, and duties under the Firearm Owners Identification
21 Card Act or the Family and Personal Protection Act, including
22 the cost of sending notices of expiration of Firearm Owner's
23 Identification Cards and concealed carry licenses, the prompt
24 and efficient processing of applications under the Firearm
25 Owners Identification Card Act and the Family and Personal

1 Protection Act, and support for investigations required under
2 these Acts.

3 (c) Investment income that is attributable to the
4 investment of moneys in the Fund shall be retained in the Fund
5 for the uses specified in this Section.

6 (d) The State Police Firearm Services Fund shall not be
7 subject to fund sweeps or administrative chargebacks.

8 Section 255-15. The State Police Act is amended by adding
9 Section 25 as follows:

10 (20 ILCS 2610/25 new)

11 Sec. 25. Emergency procurement authorized. In order to
12 comply with recent court rulings regarding concealed carry in
13 Illinois, the provisions of this amendatory Act of the 98th
14 General Assembly, together with any procurements necessary for
15 the implementation of the Family and Personal Protection Act,
16 shall be eligible for emergency procurement for a period not
17 more than 180 days after the effective date of this amendatory
18 Act.

19 Section 255-20. The State Finance Act is amended by adding
20 Sections 5.826 and 5.827 as follows:

21 (30 ILCS 105/5.826 new)

22 Sec. 5.826. The Citizen Safety and Self-Defense Trust Fund.

1 (30 ILCS 105/5.827 new)

2 Sec. 5.827. The State Police Firearm Services Fund.

3 (30 ILCS 105/5.206 rep.)

4 Section 255-25. The State Finance Act is amended by
5 repealing Section 5.206.

6 Section 255-30. The Firearm Owners Identification Card Act
7 is amended by changing Section 5 and by adding Section 5.1 as
8 follows:

9 (430 ILCS 65/5) (from Ch. 38, par. 83-5)

10 Sec. 5. The Department of State Police shall either approve
11 or deny all applications within 30 days from the date they are
12 received, and every applicant found qualified pursuant to
13 Section 8 of this Act by the Department shall be entitled to a
14 Firearm Owner's Identification Card upon the payment of a \$10
15 fee. Any applicant who is an active duty member of the Armed
16 Forces of the United States, a member of the Illinois National
17 Guard, or a member of the Reserve Forces of the United States
18 is exempt from the application fee. \$6 of each fee derived from
19 the issuance of Firearm Owner's Identification Cards, or
20 renewals thereof, shall be deposited in the Wildlife and Fish
21 Fund in the State Treasury; \$1 of such fee shall be deposited
22 in the State Police Services Fund and \$3 of such fee shall be

1 deposited in the State Police Firearm Services Fund ~~Firearm~~
2 ~~Owner's Notification Fund~~. Monies in the State Police Firearm
3 Services Fund ~~Firearm Owner's Notification Fund~~ shall be used
4 ~~exclusively~~ to pay for the cost of sending notices of
5 expiration of Firearm Owner's Identification Cards under
6 Section 13.2 of this Act, and the purposes specified in Section
7 2605-595 of the Department of State Police Law of the Civil
8 Administrative Code of Illinois. ~~Excess monies in the Firearm~~
9 ~~Owner's Notification Fund shall be used to ensure the prompt~~
10 ~~and efficient processing of applications received under~~
11 ~~Section 4 of this Act.~~

12 (Source: P.A. 95-581, eff. 6-1-08; 96-91, eff. 7-27-09.)

13 (430 ILCS 65/5.1 new)

14 Sec. 5.1. State Police Firearm Services Fund. All moneys
15 remaining in the Firearm Owner's Notification Fund on the
16 effective date of this amendatory Act of the 98th General
17 Assembly shall be transferred into the State Police Firearm
18 Services Fund, a special fund created in the State treasury, to
19 be expended by the Department of State Police, for the purposes
20 specified in Section 5.

21 Section 255-35. The Criminal Code of 2012 is amended by
22 changing Sections 21-6, 24-1, 24-1.6, and 24-2 as follows:

23 (720 ILCS 5/21-6) (from Ch. 38, par. 21-6)

1 Sec. 21-6. Unauthorized Possession or Storage of Weapons.

2 (a) Whoever possesses or stores any weapon enumerated in
3 Section 33A-1 in any building ~~or on land~~ supported in whole or
4 in part with public funds ~~or in any building on such land~~
5 without prior written permission from the chief security
6 officer for that ~~such land or~~ building commits a Class A
7 misdemeanor.

8 (b) The chief security officer must grant any reasonable
9 request for permission under paragraph (a).

10 (c) This Section shall not apply to a person acting
11 lawfully under the Family and Personal Protection Act.

12 (d) Subsection (a) shall not apply to any tenant or
13 resident of any public housing.

14 (Source: P.A. 89-685, eff. 6-1-97.)

15 (720 ILCS 5/24-1) (from Ch. 38, par. 24-1)

16 Sec. 24-1. Unlawful Use of Weapons.

17 (a) A person commits the offense of unlawful use of weapons
18 when he knowingly:

19 (1) Sells, manufactures, purchases, possesses or
20 carries any bludgeon, black-jack, slung-shot, sand-club,
21 sand-bag, metal knuckles or other knuckle weapon
22 regardless of its composition, throwing star, or any knife,
23 commonly referred to as a switchblade knife, which has a
24 blade that opens automatically by hand pressure applied to
25 a button, spring or other device in the handle of the

1 knife, or a ballistic knife, which is a device that propels
2 a knifelike blade as a projectile by means of a coil
3 spring, elastic material or compressed gas; or

4 (2) Carries or possesses with intent to use the same
5 unlawfully against another, a dagger, dirk, billy,
6 dangerous knife, razor, stiletto, broken bottle or other
7 piece of glass, stun gun or taser or any other dangerous or
8 deadly weapon or instrument of like character; or

9 (3) Carries on or about his person or in any vehicle, a
10 tear gas gun projector or bomb or any object containing
11 noxious liquid gas or substance, other than an object
12 containing a non-lethal noxious liquid gas or substance
13 designed solely for personal defense carried by a person 18
14 years of age or older; or

15 (4) Carries or possesses in any vehicle or concealed on
16 or about his person except when on his land or in his own
17 abode, legal dwelling, or fixed place of business, or on
18 the land or in the legal dwelling of another person as an
19 invitee with that person's permission, any pistol,
20 revolver, stun gun or taser or other firearm, except that
21 this subsection (a) (4) does not apply to or affect
22 transportation of weapons that meet one of the following
23 conditions:

24 (i) are broken down in a non-functioning state; or

25 (ii) are not immediately accessible; or

26 (iii) are unloaded and enclosed in a case, firearm

1 carrying box, shipping box, or other container by a
2 person who is not otherwise prohibited from owning or
3 possessing a firearm under State or federal law ~~has~~
4 ~~been issued a currently valid Firearm Owner's~~
5 ~~Identification Card;~~ or

6 (5) Sets a spring gun; or

7 (6) Possesses any device or attachment of any kind
8 designed, used or intended for use in silencing the report
9 of any firearm; or

10 (7) Sells, manufactures, purchases, possesses or
11 carries:

12 (i) a machine gun, which shall be defined for the
13 purposes of this subsection as any weapon, which
14 shoots, is designed to shoot, or can be readily
15 restored to shoot, automatically more than one shot
16 without manually reloading by a single function of the
17 trigger, including the frame or receiver of any such
18 weapon, or sells, manufactures, purchases, possesses,
19 or carries any combination of parts designed or
20 intended for use in converting any weapon into a
21 machine gun, or any combination or parts from which a
22 machine gun can be assembled if such parts are in the
23 possession or under the control of a person;

24 (ii) any rifle having one or more barrels less than
25 16 inches in length or a shotgun having one or more
26 barrels less than 18 inches in length or any weapon

1 made from a rifle or shotgun, whether by alteration,
2 modification, or otherwise, if such a weapon as
3 modified has an overall length of less than 26 inches;
4 or

5 (iii) any bomb, bomb-shell, grenade, bottle or
6 other container containing an explosive substance of
7 over one-quarter ounce for like purposes, such as, but
8 not limited to, black powder bombs and Molotov
9 cocktails or artillery projectiles; or

10 (8) Carries or possesses any firearm, stun gun or taser
11 or other deadly weapon in any place which is licensed to
12 sell intoxicating beverages for consumption on the
13 premises, ~~or at any public gathering held pursuant to a~~
14 ~~license issued by any governmental body or any public~~
15 ~~gathering at which an admission is charged, excluding a~~
16 ~~place where a showing, demonstration or lecture involving~~
17 ~~the exhibition of unloaded firearms is conducted.~~

18 This subsection (a) (8) does not apply to any auction or
19 raffle of a firearm held pursuant to a license or permit
20 issued by a governmental body, nor does it apply to persons
21 engaged in firearm safety training courses or acting in
22 accordance with the Family and Personal Protection Act; or

23 (9) Carries or possesses in a vehicle or on or about
24 his person any pistol, revolver, stun gun or taser or
25 firearm or ballistic knife, when he is hooded, robed or
26 masked in such manner as to conceal his identity; or

1 (10) Carries or possesses on or about his person, upon
2 any public street, alley, or other public lands within the
3 corporate limits of a city, village or incorporated town,
4 except when an invitee thereon or therein, for the purpose
5 of the display of such weapon or the lawful commerce in
6 weapons, or except when on his land or in his own abode,
7 legal dwelling, or fixed place of business, or on the land
8 or in the legal dwelling of another person as an invitee
9 with that person's permission, any pistol, revolver, stun
10 gun or taser or other firearm, except that this subsection
11 (a) (10) does not apply to or affect transportation of
12 weapons that meet one of the following conditions:

13 (i) are broken down in a non-functioning state; or

14 (ii) are not immediately accessible; or

15 (iii) are unloaded and enclosed in a case, firearm
16 carrying box, shipping box, or other container by a
17 person who is not otherwise prohibited from owning or
18 possessing a firearm under State or federal law ~~has~~
19 ~~been issued a currently valid Firearm Owner's~~
20 ~~Identification Card.~~

21 A "stun gun or taser", as used in this paragraph (a)
22 means (i) any device which is powered by electrical
23 charging units, such as, batteries, and which fires one or
24 several barbs attached to a length of wire and which, upon
25 hitting a human, can send out a current capable of
26 disrupting the person's nervous system in such a manner as

1 to render him incapable of normal functioning or (ii) any
2 device which is powered by electrical charging units, such
3 as batteries, and which, upon contact with a human or
4 clothing worn by a human, can send out current capable of
5 disrupting the person's nervous system in such a manner as
6 to render him incapable of normal functioning; or

7 (11) Sells, manufactures or purchases any explosive
8 bullet. For purposes of this paragraph (a) "explosive
9 bullet" means the projectile portion of an ammunition
10 cartridge which contains or carries an explosive charge
11 which will explode upon contact with the flesh of a human
12 or an animal. "Cartridge" means a tubular metal case having
13 a projectile affixed at the front thereof and a cap or
14 primer at the rear end thereof, with the propellant
15 contained in such tube between the projectile and the cap;
16 or

17 (12) (Blank); or

18 (13) Carries or possesses on or about his or her person
19 while in a building occupied by a unit of government, a
20 billy club, other weapon of like character, or other
21 instrument of like character intended for use as a weapon.
22 For the purposes of this Section, "billy club" means a
23 short stick or club commonly carried by police officers
24 which is either telescopic or constructed of a solid piece
25 of wood or other man-made material.

26 (b) Sentence. A person convicted of a violation of

1 subsection 24-1(a)(1) through (5), subsection 24-1(a)(10),
2 subsection 24-1(a)(11), or subsection 24-1(a)(13) commits a
3 Class A misdemeanor. A person convicted of a violation
4 subsection 24-1(a)(4) or 24-1(a)(10) who is otherwise eligible
5 to obtain a license under the Family and Personal Protection
6 Act except for the completion of Section 250-85 of the Act is
7 guilty of a Class C misdemeanor. A person convicted of a
8 violation of subsection 24-1(a)(8) or 24-1(a)(9) commits a
9 Class 4 felony; a person convicted of a violation of subsection
10 24-1(a)(6) or 24-1(a)(7)(ii) or (iii) commits a Class 3 felony.
11 A person convicted of a violation of subsection 24-1(a)(7)(i)
12 commits a Class 2 felony and shall be sentenced to a term of
13 imprisonment of not less than 3 years and not more than 7
14 years, unless the weapon is possessed in the passenger
15 compartment of a motor vehicle as defined in Section 1-146 of
16 the Illinois Vehicle Code, or on the person, while the weapon
17 is loaded, in which case it shall be a Class X felony. A person
18 convicted of a second or subsequent violation of subsection
19 24-1(a)(4), 24-1(a)(8), 24-1(a)(9), or 24-1(a)(10) commits a
20 Class 3 felony. The possession of each weapon in violation of
21 this Section constitutes a single and separate violation.

22 (c) Violations in specific places.

23 (1) A person who violates subsection 24-1(a)(6) or
24 24-1(a)(7) in any school, regardless of the time of day or
25 the time of year, in residential property owned, operated
26 or managed by a public housing agency or leased by a public

1 housing agency as part of a scattered site or mixed-income
2 development, in a public park, in a courthouse, on the real
3 property comprising any school, regardless of the time of
4 day or the time of year, on residential property owned,
5 operated or managed by a public housing agency or leased by
6 a public housing agency as part of a scattered site or
7 mixed-income development, on the real property comprising
8 any public park, on the real property comprising any
9 courthouse, in any conveyance owned, leased or contracted
10 by a school to transport students to or from school or a
11 school related activity, in any conveyance owned, leased,
12 or contracted by a public transportation agency, or on any
13 public way within 1,000 feet of the real property
14 comprising any school, public park, courthouse, public
15 transportation facility, or residential property owned,
16 operated, or managed by a public housing agency or leased
17 by a public housing agency as part of a scattered site or
18 mixed-income development commits a Class 2 felony and shall
19 be sentenced to a term of imprisonment of not less than 3
20 years and not more than 7 years.

21 (1.5) A person who violates subsection 24-1(a)(4),
22 24-1(a)(9), or 24-1(a)(10) in any school, regardless of the
23 time of day or the time of year, in residential property
24 owned, operated, or managed by a public housing agency or
25 leased by a public housing agency as part of a scattered
26 site or mixed-income development, in a public park, in a

1 courthouse, on the real property comprising any school,
2 regardless of the time of day or the time of year, on
3 residential property owned, operated, or managed by a
4 public housing agency or leased by a public housing agency
5 as part of a scattered site or mixed-income development, on
6 the real property comprising any public park, on the real
7 property comprising any courthouse, in any conveyance
8 owned, leased, or contracted by a school to transport
9 students to or from school or a school related activity, in
10 any conveyance owned, leased, or contracted by a public
11 transportation agency, or on any public way within 1,000
12 feet of the real property comprising any school, public
13 park, courthouse, public transportation facility, or
14 residential property owned, operated, or managed by a
15 public housing agency or leased by a public housing agency
16 as part of a scattered site or mixed-income development
17 commits a Class 3 felony.

18 (2) A person who violates subsection 24-1(a)(1),
19 24-1(a)(2), or 24-1(a)(3) in any school, regardless of the
20 time of day or the time of year, in residential property
21 owned, operated or managed by a public housing agency or
22 leased by a public housing agency as part of a scattered
23 site or mixed-income development, in a public park, in a
24 courthouse, on the real property comprising any school,
25 regardless of the time of day or the time of year, on
26 residential property owned, operated or managed by a public

1 housing agency or leased by a public housing agency as part
2 of a scattered site or mixed-income development, on the
3 real property comprising any public park, on the real
4 property comprising any courthouse, in any conveyance
5 owned, leased or contracted by a school to transport
6 students to or from school or a school related activity, in
7 any conveyance owned, leased, or contracted by a public
8 transportation agency, or on any public way within 1,000
9 feet of the real property comprising any school, public
10 park, courthouse, public transportation facility, or
11 residential property owned, operated, or managed by a
12 public housing agency or leased by a public housing agency
13 as part of a scattered site or mixed-income development
14 commits a Class 4 felony. "Courthouse" means any building
15 that is used by the Circuit, Appellate, or Supreme Court of
16 this State for the conduct of official business.

17 (3) Paragraphs (1), (1.5), and (2) of this subsection
18 (c) shall not apply to law enforcement officers or security
19 officers of such school, college, or university or to
20 students carrying or possessing firearms for use in
21 training courses, parades, hunting, target shooting on
22 school ranges, or otherwise with the consent of school
23 authorities and which firearms are transported unloaded
24 enclosed in a suitable case, box, or transportation
25 package.

26 (4) For the purposes of this subsection (c), "school"

1 means any public or private elementary or secondary school,
2 community college, college, or university.

3 (5) For the purposes of this subsection (c), "public
4 transportation agency" means a public or private agency
5 that provides for the transportation or conveyance of
6 persons by means available to the general public, except
7 for transportation by automobiles not used for conveyance
8 of the general public as passengers; and "public
9 transportation facility" means a terminal or other place
10 where one may obtain public transportation.

11 (d) The presence in an automobile other than a public
12 omnibus of any weapon, instrument or substance referred to in
13 subsection (a)(7) is prima facie evidence that it is in the
14 possession of, and is being carried by, all persons occupying
15 such automobile at the time such weapon, instrument or
16 substance is found, except under the following circumstances:
17 (i) if such weapon, instrument or instrumentality is found upon
18 the person of one of the occupants therein; or (ii) if such
19 weapon, instrument or substance is found in an automobile
20 operated for hire by a duly licensed driver in the due, lawful
21 and proper pursuit of his trade, then such presumption shall
22 not apply to the driver.

23 (e) Exemptions. Crossbows, Common or Compound bows and
24 Underwater Spearguns are exempted from the definition of
25 ballistic knife as defined in paragraph (1) of subsection (a)
26 of this Section.

1 (Source: P.A. 95-331, eff. 8-21-07; 95-809, eff. 1-1-09;
2 95-885, eff. 1-1-09; 96-41, eff. 1-1-10; 96-328, eff. 8-11-09;
3 96-742, eff. 8-25-09; 96-1000, eff. 7-2-10.)

4 (720 ILCS 5/24-1.6)

5 Sec. 24-1.6. Aggravated unlawful use of a weapon.

6 (a) A person commits the offense of aggravated unlawful use
7 of a weapon when he or she knowingly:

8 (1) Carries on or about his or her person or in any
9 vehicle or concealed on or about his or her person except
10 when on his or her land or in his or her abode, legal
11 dwelling, or fixed place of business, or on the land or in
12 the legal dwelling of another person as an invitee with
13 that person's permission, any pistol, revolver, stun gun or
14 taser or other firearm; or

15 (2) Carries or possesses on or about his or her person,
16 upon any public street, alley, or other public lands within
17 the corporate limits of a city, village or incorporated
18 town, except when an invitee thereon or therein, for the
19 purpose of the display of such weapon or the lawful
20 commerce in weapons, or except when on his or her own land
21 or in his or her own abode, legal dwelling, or fixed place
22 of business, or on the land or in the legal dwelling of
23 another person as an invitee with that person's permission,
24 any pistol, revolver, stun gun or taser or other firearm;
25 and

1 (3) One of the following factors is present:

2 (A) the firearm possessed was uncased, loaded and
3 immediately accessible at the time of the offense; or

4 (B) the firearm possessed was uncased, unloaded
5 and the ammunition for the weapon was immediately
6 accessible at the time of the offense; or

7 (C) the person possessing the firearm has not been
8 issued a currently valid Firearm Owner's
9 Identification Card; or

10 (D) the person possessing the weapon was
11 previously adjudicated a delinquent minor under the
12 Juvenile Court Act of 1987 for an act that if committed
13 by an adult would be a felony; or

14 (E) the person possessing the weapon was engaged in
15 a misdemeanor violation of the Cannabis Control Act, in
16 a misdemeanor violation of the Illinois Controlled
17 Substances Act, or in a misdemeanor violation of the
18 Methamphetamine Control and Community Protection Act;
19 or

20 (F) (blank); or

21 (G) the person possessing the weapon had a order of
22 protection issued against him or her within the
23 previous 2 years; or

24 (H) the person possessing the weapon was engaged in
25 the commission or attempted commission of a
26 misdemeanor involving the use or threat of violence

1 against the person or property of another; or

2 (I) the person possessing the weapon was under 21
3 years of age and in possession of a handgun as defined
4 in Section 24-3, unless the person under 21 is engaged
5 in lawful activities under the Wildlife Code or
6 described in subsection 24-2(b)(1), (b)(3), or
7 24-2(f).

8 (b) "Stun gun or taser" as used in this Section has the
9 same definition given to it in Section 24-1 of this Code.

10 (c) This Section does not apply to or affect the
11 transportation or possession of weapons that:

12 (i) are broken down in a non-functioning state; or

13 (ii) are not immediately accessible; or

14 (iii) are unloaded and enclosed in a case, firearm
15 carrying box, shipping box, or other container by a
16 person who is not prohibited from owning or possessing
17 a firearm under State or federal law ~~by a person who~~
18 ~~has been issued a currently valid Firearm Owner's~~
19 ~~Identification Card.~~

20 (d) Sentence.

21 (1) Aggravated unlawful use of a weapon is a Class 4
22 felony; a second or subsequent offense is a Class 2 felony
23 for which the person shall be sentenced to a term of
24 imprisonment of not less than 3 years and not more than 7
25 years.

26 (2) Except as otherwise provided in paragraphs (3) and

1 (4) of this subsection (d), a first offense of aggravated
2 unlawful use of a weapon committed with a firearm by a
3 person 18 years of age or older where the factors listed in
4 both items (A) and (C) of paragraph (3) of subsection (a)
5 are present is a Class 4 felony, for which the person shall
6 be sentenced to a term of imprisonment of not less than one
7 year and not more than 3 years.

8 (3) Aggravated unlawful use of a weapon by a person who
9 has been previously convicted of a felony in this State or
10 another jurisdiction is a Class 2 felony for which the
11 person shall be sentenced to a term of imprisonment of not
12 less than 3 years and not more than 7 years.

13 (4) Aggravated unlawful use of a weapon while wearing
14 or in possession of body armor as defined in Section 33F-1
15 by a person who has not been issued a valid Firearms
16 Owner's Identification Card in accordance with Section 5 of
17 the Firearm Owners Identification Card Act is a Class X
18 felony.

19 (e) The possession of each firearm in violation of this
20 Section constitutes a single and separate violation.

21 (Source: P.A. 95-331, eff. 8-21-07; 96-742, eff. 8-25-09;
22 96-829, eff. 12-3-09; 96-1107, eff. 1-1-11.)

23 (720 ILCS 5/24-2)

24 Sec. 24-2. Exemptions.

25 (a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and

1 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of
2 the following:

3 (1) Peace officers, and any person summoned by a peace
4 officer to assist in making arrests or preserving the
5 peace, while actually engaged in assisting such officer.

6 (2) Wardens, superintendents and keepers of prisons,
7 penitentiaries, jails and other institutions for the
8 detention of persons accused or convicted of an offense,
9 while in the performance of their official duty, or while
10 commuting between their homes and places of employment.

11 (3) Members of the Armed Services or Reserve Forces of
12 the United States or the Illinois National Guard or the
13 Reserve Officers Training Corps, while in the performance
14 of their official duty.

15 (4) Special agents employed by a railroad or a public
16 utility to perform police functions, and guards of armored
17 car companies, while actually engaged in the performance of
18 the duties of their employment or commuting between their
19 homes and places of employment; and watchmen while actually
20 engaged in the performance of the duties of their
21 employment.

22 (5) Persons licensed as private security contractors,
23 private detectives, or private alarm contractors, or
24 employed by an agency certified by the Department of
25 Financial and Professional Regulation, if their duties
26 include the carrying of a weapon under the provisions of

1 the Private Detective, Private Alarm, Private Security,
2 Fingerprint Vendor, and Locksmith Act of 2004, while
3 actually engaged in the performance of the duties of their
4 employment or commuting between their homes and places of
5 employment, provided that such commuting is accomplished
6 within one hour from departure from home or place of
7 employment, as the case may be. A person shall be
8 considered eligible for this exemption if he or she has
9 completed the required 20 hours of training for a private
10 security contractor, private detective, or private alarm
11 contractor, or employee of a licensed agency and 20 hours
12 of required firearm training, and has been issued a firearm
13 control card by the Department of Financial and
14 Professional Regulation. Conditions for the renewal of
15 firearm control cards issued under the provisions of this
16 Section shall be the same as for those cards issued under
17 the provisions of the Private Detective, Private Alarm,
18 Private Security, Fingerprint Vendor, and Locksmith Act of
19 2004. The firearm control card shall be carried by the
20 private security contractor, private detective, or private
21 alarm contractor, or employee of the licensed agency at all
22 times when he or she is in possession of a concealable
23 weapon.

24 (6) Any person regularly employed in a commercial or
25 industrial operation as a security guard for the protection
26 of persons employed and private property related to such

1 commercial or industrial operation, while actually engaged
2 in the performance of his or her duty or traveling between
3 sites or properties belonging to the employer, and who, as
4 a security guard, is a member of a security force of at
5 least 5 persons registered with the Department of Financial
6 and Professional Regulation; provided that such security
7 guard has successfully completed a course of study,
8 approved by and supervised by the Department of Financial
9 and Professional Regulation, consisting of not less than 40
10 hours of training that includes the theory of law
11 enforcement, liability for acts, and the handling of
12 weapons. A person shall be considered eligible for this
13 exemption if he or she has completed the required 20 hours
14 of training for a security officer and 20 hours of required
15 firearm training, and has been issued a firearm control
16 card by the Department of Financial and Professional
17 Regulation. Conditions for the renewal of firearm control
18 cards issued under the provisions of this Section shall be
19 the same as for those cards issued under the provisions of
20 the Private Detective, Private Alarm, Private Security,
21 Fingerprint Vendor, and Locksmith Act of 2004. The firearm
22 control card shall be carried by the security guard at all
23 times when he or she is in possession of a concealable
24 weapon.

25 (7) Agents and investigators of the Illinois
26 Legislative Investigating Commission authorized by the

1 Commission to carry the weapons specified in subsections
2 24-1(a)(3) and 24-1(a)(4), while on duty in the course of
3 any investigation for the Commission.

4 (8) Persons employed by a financial institution for the
5 protection of other employees and property related to such
6 financial institution, while actually engaged in the
7 performance of their duties, commuting between their homes
8 and places of employment, or traveling between sites or
9 properties owned or operated by such financial
10 institution, provided that any person so employed has
11 successfully completed a course of study, approved by and
12 supervised by the Department of Financial and Professional
13 Regulation, consisting of not less than 40 hours of
14 training which includes theory of law enforcement,
15 liability for acts, and the handling of weapons. A person
16 shall be considered to be eligible for this exemption if he
17 or she has completed the required 20 hours of training for
18 a security officer and 20 hours of required firearm
19 training, and has been issued a firearm control card by the
20 Department of Financial and Professional Regulation.
21 Conditions for renewal of firearm control cards issued
22 under the provisions of this Section shall be the same as
23 for those issued under the provisions of the Private
24 Detective, Private Alarm, Private Security, Fingerprint
25 Vendor, and Locksmith Act of 2004. Such firearm control
26 card shall be carried by the person so trained at all times

1 when such person is in possession of a concealable weapon.
2 For purposes of this subsection, "financial institution"
3 means a bank, savings and loan association, credit union or
4 company providing armored car services.

5 (9) Any person employed by an armored car company to
6 drive an armored car, while actually engaged in the
7 performance of his duties.

8 (10) Persons who have been classified as peace officers
9 pursuant to the Peace Officer Fire Investigation Act.

10 (11) Investigators of the Office of the State's
11 Attorneys Appellate Prosecutor authorized by the board of
12 governors of the Office of the State's Attorneys Appellate
13 Prosecutor to carry weapons pursuant to Section 7.06 of the
14 State's Attorneys Appellate Prosecutor's Act.

15 (12) Special investigators appointed by a State's
16 Attorney under Section 3-9005 of the Counties Code.

17 (12.5) Probation officers while in the performance of
18 their duties, or while commuting between their homes,
19 places of employment or specific locations that are part of
20 their assigned duties, with the consent of the chief judge
21 of the circuit for which they are employed.

22 (13) Court Security Officers while in the performance
23 of their official duties, or while commuting between their
24 homes and places of employment, with the consent of the
25 Sheriff.

26 (13.5) A person employed as an armed security guard at

1 a nuclear energy, storage, weapons or development site or
2 facility regulated by the Nuclear Regulatory Commission
3 who has completed the background screening and training
4 mandated by the rules and regulations of the Nuclear
5 Regulatory Commission.

6 (14) Manufacture, transportation, or sale of weapons
7 to persons authorized under subdivisions (1) through
8 (13.5) of this subsection to possess those weapons.

9 (b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
10 24-1.6 do not apply to or affect any of the following:

11 (1) Members of any club or organization organized for
12 the purpose of practicing shooting at targets upon
13 established target ranges, whether public or private, and
14 patrons of such ranges, while such members or patrons are
15 using their firearms on those target ranges.

16 (2) Duly authorized military or civil organizations
17 while parading, with the special permission of the
18 Governor.

19 (3) Hunters, trappers or fishermen with a license or
20 permit while engaged in hunting, trapping or fishing.

21 (4) Transportation of weapons that are broken down in a
22 non-functioning state or are not immediately accessible.

23 (5) Carrying or possessing any pistol, revolver, stun
24 gun or taser or other firearm on the land or in the legal
25 dwelling of another person as an invitee with that person's
26 permission.

1 (6) A licensee under the Family and Personal Protection
2 Act, notwithstanding Section 250-70 of that Act, if the
3 licensee meets the requirements of the Family and Personal
4 Protection Act.

5 (c) Subsection 24-1(a)(7) does not apply to or affect any
6 of the following:

7 (1) Peace officers while in performance of their
8 official duties.

9 (2) Wardens, superintendents and keepers of prisons,
10 penitentiaries, jails and other institutions for the
11 detention of persons accused or convicted of an offense.

12 (3) Members of the Armed Services or Reserve Forces of
13 the United States or the Illinois National Guard, while in
14 the performance of their official duty.

15 (4) Manufacture, transportation, or sale of machine
16 guns to persons authorized under subdivisions (1) through
17 (3) of this subsection to possess machine guns, if the
18 machine guns are broken down in a non-functioning state or
19 are not immediately accessible.

20 (5) Persons licensed under federal law to manufacture
21 any weapon from which 8 or more shots or bullets can be
22 discharged by a single function of the firing device, or
23 ammunition for such weapons, and actually engaged in the
24 business of manufacturing such weapons or ammunition, but
25 only with respect to activities which are within the lawful
26 scope of such business, such as the manufacture,

1 transportation, or testing of such weapons or ammunition.
2 This exemption does not authorize the general private
3 possession of any weapon from which 8 or more shots or
4 bullets can be discharged by a single function of the
5 firing device, but only such possession and activities as
6 are within the lawful scope of a licensed manufacturing
7 business described in this paragraph.

8 During transportation, such weapons shall be broken
9 down in a non-functioning state or not immediately
10 accessible.

11 (6) The manufacture, transport, testing, delivery,
12 transfer or sale, and all lawful commercial or experimental
13 activities necessary thereto, of rifles, shotguns, and
14 weapons made from rifles or shotguns, or ammunition for
15 such rifles, shotguns or weapons, where engaged in by a
16 person operating as a contractor or subcontractor pursuant
17 to a contract or subcontract for the development and supply
18 of such rifles, shotguns, weapons or ammunition to the
19 United States government or any branch of the Armed Forces
20 of the United States, when such activities are necessary
21 and incident to fulfilling the terms of such contract.

22 The exemption granted under this subdivision (c)(6)
23 shall also apply to any authorized agent of any such
24 contractor or subcontractor who is operating within the
25 scope of his employment, where such activities involving
26 such weapon, weapons or ammunition are necessary and

1 incident to fulfilling the terms of such contract.

2 During transportation, any such weapon shall be broken
3 down in a non-functioning state, or not immediately
4 accessible.

5 (7) A person possessing a rifle with a barrel or
6 barrels less than 16 inches in length if: (A) the person
7 has been issued a Curios and Relics license from the U.S.
8 Bureau of Alcohol, Tobacco, Firearms and Explosives; or (B)
9 the person is an active member of a bona fide, nationally
10 recognized military re-enacting group and the modification
11 is required and necessary to accurately portray the weapon
12 for historical re-enactment purposes; the re-enactor is in
13 possession of a valid and current re-enacting group
14 membership credential; and the overall length of the weapon
15 as modified is not less than 26 inches.

16 During transportation, any such weapon shall be broken
17 down in a non-functioning state, or not immediately
18 accessible.

19 (d) Subsection 24-1(a)(1) does not apply to the purchase,
20 possession or carrying of a black-jack or slung-shot by a peace
21 officer.

22 (e) Subsection 24-1(a)(8) does not apply to any owner,
23 manager or authorized employee of any place specified in that
24 subsection nor to any law enforcement officer or a licensee
25 under the Family and Personal Protection Act, notwithstanding
26 Section 250-70 of that Act.

1 (f) Subsection 24-1(a)(4) and subsection 24-1(a)(10) and
2 Section 24-1.6 do not apply to members of any club or
3 organization organized for the purpose of practicing shooting
4 at targets upon established target ranges, whether public or
5 private, while using their firearms on those target ranges.

6 (g) Subsections 24-1(a)(11) and 24-3.1(a)(6) do not apply
7 to:

8 (1) Members of the Armed Services or Reserve Forces of
9 the United States or the Illinois National Guard, while in
10 the performance of their official duty.

11 (2) Bonafide collectors of antique or surplus military
12 ordinance.

13 (3) Laboratories having a department of forensic
14 ballistics, or specializing in the development of
15 ammunition or explosive ordinance.

16 (4) Commerce, preparation, assembly or possession of
17 explosive bullets by manufacturers of ammunition licensed
18 by the federal government, in connection with the supply of
19 those organizations and persons exempted by subdivision
20 (g)(1) of this Section, or like organizations and persons
21 outside this State, or the transportation of explosive
22 bullets to any organization or person exempted in this
23 Section by a common carrier or by a vehicle owned or leased
24 by an exempted manufacturer.

25 (g-5) Subsection 24-1(a)(6) does not apply to or affect
26 persons licensed under federal law to manufacture any device or

1 attachment of any kind designed, used, or intended for use in
2 silencing the report of any firearm, firearms, or ammunition
3 for those firearms equipped with those devices, and actually
4 engaged in the business of manufacturing those devices,
5 firearms, or ammunition, but only with respect to activities
6 that are within the lawful scope of that business, such as the
7 manufacture, transportation, or testing of those devices,
8 firearms, or ammunition. This exemption does not authorize the
9 general private possession of any device or attachment of any
10 kind designed, used, or intended for use in silencing the
11 report of any firearm, but only such possession and activities
12 as are within the lawful scope of a licensed manufacturing
13 business described in this subsection (g-5). During
14 transportation, these devices shall be detached from any weapon
15 or not immediately accessible.

16 (g-6) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
17 24-1.6 do not apply to or affect any parole agent or parole
18 supervisor who meets the qualifications and conditions
19 prescribed in Section 3-14-1.5 of the Unified Code of
20 Corrections.

21 (g-7) Subsection 24-1(a)(6) does not apply to a peace
22 officer while serving as a member of a tactical response team
23 or special operations team. A peace officer may not personally
24 own or apply for ownership of a device or attachment of any
25 kind designed, used, or intended for use in silencing the
26 report of any firearm. These devices shall be owned and

1 maintained by lawfully recognized units of government whose
2 duties include the investigation of criminal acts.

3 (g-10) Subsections 24-1(a)(4), 24-1(a)(8), and
4 24-1(a)(10), and Sections 24-1.6 and 24-3.1 do not apply to an
5 athlete's possession, transport on official Olympic and
6 Paralympic transit systems established for athletes, or use of
7 competition firearms sanctioned by the International Olympic
8 Committee, the International Paralympic Committee, the
9 International Shooting Sport Federation, or USA Shooting in
10 connection with such athlete's training for and participation
11 in shooting competitions at the 2016 Olympic and Paralympic
12 Games and sanctioned test events leading up to the 2016 Olympic
13 and Paralympic Games.

14 (h) An information or indictment based upon a violation of
15 any subsection of this Article need not negative any exemptions
16 contained in this Article. The defendant shall have the burden
17 of proving such an exemption.

18 (i) Nothing in this Article shall prohibit, apply to, or
19 affect the transportation, carrying, or possession, of any
20 pistol or revolver, stun gun, taser, or other firearm consigned
21 to a common carrier operating under license of the State of
22 Illinois or the federal government, where such transportation,
23 carrying, or possession is incident to the lawful
24 transportation in which such common carrier is engaged; and
25 nothing in this Article shall prohibit, apply to, or affect the
26 transportation, carrying, or possession of any pistol,

1 revolver, stun gun, taser, or other firearm, not the subject of
2 and regulated by subsection 24-1(a)(7) or subsection 24-2(c) of
3 this Article, which is unloaded and enclosed in a case, firearm
4 carrying box, shipping box, or other container, by the
5 possessor of a valid Firearm Owners Identification Card.

6 (Source: P.A. 96-7, eff. 4-3-09; 96-230, eff. 1-1-10; 96-742,
7 eff. 8-25-09; 96-1000, eff. 7-2-10; 97-465, eff. 8-22-11;
8 97-676, eff. 6-1-12; 97-936, eff. 1-1-13; 97-1010, eff. 1-1-13;
9 revised 8-23-12.)

10 Section 800. The Freedom of Information Act is amended by
11 changing Section 7.5 as follows:

12 (5 ILCS 140/7.5)

13 Sec. 7.5. Statutory Exemptions. To the extent provided for
14 by the statutes referenced below, the following shall be exempt
15 from inspection and copying:

16 (a) All information determined to be confidential under
17 Section 4002 of the Technology Advancement and Development Act.

18 (b) Library circulation and order records identifying
19 library users with specific materials under the Library Records
20 Confidentiality Act.

21 (c) Applications, related documents, and medical records
22 received by the Experimental Organ Transplantation Procedures
23 Board and any and all documents or other records prepared by
24 the Experimental Organ Transplantation Procedures Board or its

1 staff relating to applications it has received.

2 (d) Information and records held by the Department of
3 Public Health and its authorized representatives relating to
4 known or suspected cases of sexually transmissible disease or
5 any information the disclosure of which is restricted under the
6 Illinois Sexually Transmissible Disease Control Act.

7 (e) Information the disclosure of which is exempted under
8 Section 30 of the Radon Industry Licensing Act.

9 (f) Firm performance evaluations under Section 55 of the
10 Architectural, Engineering, and Land Surveying Qualifications
11 Based Selection Act.

12 (g) Information the disclosure of which is restricted and
13 exempted under Section 50 of the Illinois Prepaid Tuition Act.

14 (h) Information the disclosure of which is exempted under
15 the State Officials and Employees Ethics Act, and records of
16 any lawfully created State or local inspector general's office
17 that would be exempt if created or obtained by an Executive
18 Inspector General's office under that Act.

19 (i) Information contained in a local emergency energy plan
20 submitted to a municipality in accordance with a local
21 emergency energy plan ordinance that is adopted under Section
22 11-21.5-5 of the Illinois Municipal Code.

23 (j) Information and data concerning the distribution of
24 surcharge moneys collected and remitted by wireless carriers
25 under the Wireless Emergency Telephone Safety Act.

26 (k) Law enforcement officer identification information or

1 driver identification information compiled by a law
2 enforcement agency or the Department of Transportation under
3 Section 11-212 of the Illinois Vehicle Code.

4 (l) Records and information provided to a residential
5 health care facility resident sexual assault and death review
6 team or the Executive Council under the Abuse Prevention Review
7 Team Act.

8 (m) Information provided to the predatory lending database
9 created pursuant to Article 3 of the Residential Real Property
10 Disclosure Act, except to the extent authorized under that
11 Article.

12 (n) Defense budgets and petitions for certification of
13 compensation and expenses for court appointed trial counsel as
14 provided under Sections 10 and 15 of the Capital Crimes
15 Litigation Act. This subsection (n) shall apply until the
16 conclusion of the trial of the case, even if the prosecution
17 chooses not to pursue the death penalty prior to trial or
18 sentencing.

19 (o) Information that is prohibited from being disclosed
20 under Section 4 of the Illinois Health and Hazardous Substances
21 Registry Act.

22 (p) Security portions of system safety program plans,
23 investigation reports, surveys, schedules, lists, data, or
24 information compiled, collected, or prepared by or for the
25 Regional Transportation Authority under Section 2.11 of the
26 Regional Transportation Authority Act or the St. Clair County

1 Transit District under the Bi-State Transit Safety Act.

2 (q) Information prohibited from being disclosed by the
3 Personnel Records Review Act.

4 (r) Information prohibited from being disclosed by the
5 Illinois School Student Records Act.

6 (s) Information the disclosure of which is restricted under
7 Section 5-108 of the Public Utilities Act.

8 (t) All identified or deidentified health information in
9 the form of health data or medical records contained in, stored
10 in, submitted to, transferred by, or released from the Illinois
11 Health Information Exchange, and identified or deidentified
12 health information in the form of health data and medical
13 records of the Illinois Health Information Exchange in the
14 possession of the Illinois Health Information Exchange
15 Authority due to its administration of the Illinois Health
16 Information Exchange. The terms "identified" and
17 "deidentified" shall be given the same meaning as in the Health
18 Insurance Accountability and Portability Act of 1996, Public
19 Law 104-191, or any subsequent amendments thereto, and any
20 regulations promulgated thereunder.

21 (u) Records and information provided to an independent team
22 of experts under Brian's Law.

23 (v) Names and information of people who have applied for or
24 received Firearm Owner's Identification Cards or Certificates
25 of Handgun Registration under the Firearm Owners
26 Identification Card Act and the Family and Personal Protection

1 Act.

2 (w) Personally identifiable information which is exempted
3 from disclosure under subsection (g) of Section 19.1 of the
4 Toll Highway Act.

5 (x) Information which is exempted from disclosure under
6 Section 5-1014.3 of the Counties Code or Section 8-11-21 of the
7 Illinois Municipal Code.

8 (Source: P.A. 96-542, eff. 1-1-10; 96-1235, eff. 1-1-11;
9 96-1331, eff. 7-27-10; 97-80, eff. 7-5-11; 97-333, eff.
10 8-12-11; 97-342, eff. 8-12-11; 97-813, eff. 7-13-12; 97-976,
11 eff. 1-1-13.)

12 Section 801. The Department of State Police Law of the
13 Civil Administrative Code of Illinois is amended by changing
14 Sections 2605-45 and 2605-120 as follows:

15 (20 ILCS 2605/2605-45) (was 20 ILCS 2605/55a-5)

16 Sec. 2605-45. Division of Administration. The Division of
17 Administration shall exercise the following functions:

18 (1) Exercise the rights, powers, and duties vested in
19 the Department by the Governor's Office of Management and
20 Budget Act.

21 (2) Pursue research and the publication of studies
22 pertaining to local law enforcement activities.

23 (3) Exercise the rights, powers, and duties vested in
24 the Department by the Personnel Code.

1 (4) Operate an electronic data processing and computer
2 center for the storage and retrieval of data pertaining to
3 criminal activity.

4 (5) Exercise the rights, powers, and duties vested in
5 the former Division of State Troopers by Section 17 of the
6 State Police Act.

7 (6) Exercise the rights, powers, and duties vested in
8 the Department by "An Act relating to internal auditing in
9 State government", approved August 11, 1967 (repealed; now
10 the Fiscal Control and Internal Auditing Act, 30 ILCS 10/).

11 (6.5) Exercise the rights, powers, and duties vested in
12 the Department by the Firearm Owners Identification Card
13 Act and the Family and Personal Protection Act.

14 (7) Exercise other duties that may be assigned by the
15 Director to fulfill the responsibilities and achieve the
16 purposes of the Department.

17 (Source: P.A. 94-793, eff. 5-19-06.)

18 (20 ILCS 2605/2605-120) (was 20 ILCS 2605/55a in part)

19 Sec. 2605-120. Firearm Owners Identification Card Act and
20 the Family and Personal Protection Act. To exercise the rights,
21 powers, and duties that have been vested in the Department of
22 Public Safety by the Firearm Owners Identification Card Act and
23 the Family and Personal Protection Act.

24 (Source: P.A. 90-18, eff. 7-1-97; 90-130, eff. 1-1-98; 90-372,
25 eff. 7-1-98; 90-590, eff. 1-1-00; 90-655, eff. 7-30-98; 90-793,

1 eff. 8-14-98; 91-239, eff. 1-1-00.)

2 Section 802. The Criminal Identification Act is amended by
3 changing Section 2.2 as follows:

4 (20 ILCS 2630/2.2)

5 Sec. 2.2. Notification to the Department. Upon judgment of
6 conviction of a violation of Section 12-1, 12-2, 12-3, 12-3.2,
7 12-3.4, or 12-3.5 of the Criminal Code of 1961 or the Criminal
8 Code of 2012 when the defendant has been determined, pursuant
9 to Section 112A-11.1 of the Code of Criminal Procedure of 1963,
10 to be subject to the prohibitions of 18 U.S.C. 922(g)(9), the
11 circuit court clerk shall include notification and a copy of
12 the written determination in a report of the conviction to the
13 Department of State Police Firearm Owner's Identification Card
14 Office to enable the office to perform its duties under
15 Sections 4 and 8 of the Firearm Owners Identification Card Act
16 and Section 5 of the Family and Personal Protection Act and to
17 report that determination to the Federal Bureau of
18 Investigation to assist the Bureau in identifying persons
19 prohibited from purchasing and possessing a firearm pursuant to
20 the provisions of 18 U.S.C. 922. The written determination
21 described in this Section shall be included in the defendant's
22 record of arrest and conviction in the manner and form
23 prescribed by the Department of State Police.

24 (Source: P.A. 97-1131, eff. 1-1-13; 97-1150, eff. 1-25-13.)

1 Section 803. The State Finance Act is amended by adding
2 Sections 5.826, 5.827, 5.828, 6z-98, and 6z-99 as follows:

3 (30 ILCS 105/5.826 new)

4 Sec. 5.826. The Handgun Certificate Administration Fund.

5 (30 ILCS 105/5.827 new)

6 Sec. 5.827. The National Instant Criminal Background Check
7 System Improvement Fund.

8 (30 ILCS 105/5.828 new)

9 Sec. 5.828. The Illinois LEADS Information and Technology
10 Improvement Fund.

11 (30 ILCS 105/6z-98 new)

12 Sec. 6z-98. National Instant Criminal Background Check
13 System Improvement Fund.

14 (a) There is created in the State treasury a special fund
15 known as National Instant Criminal Background Check System
16 Improvement Fund. The Fund shall receive revenue under Section
17 5 of the Family and Personal Protection Act. The Fund may also
18 receive revenue from grants, donations, appropriations, and
19 any other legal source.

20 (b) The Department of State Police shall use moneys in the
21 Fund to perform its duties and responsibilities under

1 subsection (e) of Section 3.1 of the Firearm Owners
2 Identification Card Act and Section 5 of the Family and
3 Personal Protection Act.

4 (c) Expenditures may be made from the Fund only as
5 appropriated by the General Assembly by law.

6 (d) Investment income that is attributable to the
7 investment of moneys in the Fund shall be retained in the Fund
8 for the uses specified in this Section.

9 (e) The Fund shall not be subject to administrative
10 chargebacks.

11 (30 ILCS 105/6z-99 new)

12 Sec. 6z-99. Illinois LEADS Information and Technology
13 Improvement Fund.

14 (a) There is created in the State treasury a special fund
15 known as the Illinois LEADS Information and Technology
16 Improvement Fund. The Fund shall receive revenue under Section
17 5 of the Family and Personal Protection Act. The Fund may also
18 receive revenue from grants, donations, appropriations, and
19 any other legal source.

20 (b) The Department of State Police shall use the moneys in
21 the Fund to update and improve the technology used for the Law
22 Enforcement Agencies Data System (LEADS) system. The Fund shall
23 also be used to support the Department's responsibilities in
24 managing background checks and public safety record-keeping.

25 (c) Moneys in the Fund shall also be used to fund grants

1 made available to local law enforcement to support their
2 technological infrastructure.

3 (d) Expenditures may be made from the Fund only as
4 appropriated by the General Assembly by law.

5 (e) Investment income that is attributable to the
6 investment of moneys in the Fund shall be retained in the Fund
7 for the uses specified in this Section.

8 (f) The Fund shall not be subject to administrative
9 chargebacks.

10 Section 804. The Firearm Owners Identification Card Act is
11 amended by changing Sections 3 and 3.1 as follows:

12 (430 ILCS 65/3) (from Ch. 38, par. 83-3)

13 Sec. 3. (a) Except as provided in Section 3a, no person may
14 knowingly transfer, or cause to be transferred, any firearm,
15 firearm ammunition, stun gun, or taser to any person within
16 this State unless the transferee with whom he deals displays a
17 currently valid Firearm Owner's Identification Card which has
18 previously been issued in his name by the Department of State
19 Police under the provisions of this Act. In addition, all
20 firearm, stun gun, and taser transfers by federally licensed
21 firearm dealers are subject to Section 3.1. In addition, the
22 transferor and transferee of a handgun shall be subject to
23 Section 5 of the Family and Personal Protection Act regardless
24 of whether the transferor is a federally licensed firearm

1 dealer.

2 (a-5) Any person who is not a federally licensed firearm
3 dealer and who desires to transfer or sell a firearm while that
4 person is on the grounds of a gun show must, before selling or
5 transferring the firearm, request the Department of State
6 Police to conduct a background check on the prospective
7 recipient of the firearm in accordance with Section 3.1.
8 Whenever a person who is exempt from Section 5 of the Family
9 and Personal Protection Act transfers a handgun to a person who
10 is not exempt, the transferor shall notify the Department of
11 State Police of the transfer, on a form or in a manner
12 prescribed by the Department, within 10 days after the
13 transfer.

14 (b) Any person within this State who transfers or causes to
15 be transferred any firearm, stun gun, or taser shall keep a
16 record of such transfer for a period of 10 years from the date
17 of transfer. Such record shall contain the date of the
18 transfer; the description, serial number or other information
19 identifying the firearm, stun gun, or taser if no serial number
20 is available; and, if the transfer was completed within this
21 State, the transferee's Firearm Owner's Identification Card
22 number. On or after January 1, 2006, the record shall contain
23 the date of application for transfer of the firearm. On demand
24 of a peace officer such transferor shall produce for inspection
25 such record of transfer. If the transfer or sale took place at
26 a gun show, the record shall include the unique identification

1 number. Failure to record the unique identification number is a
2 petty offense.

3 (b-5) Any resident may purchase ammunition from a person
4 within or outside of Illinois if shipment is by United States
5 mail or by a private express carrier authorized by federal law
6 to ship ammunition. Any resident purchasing ammunition within
7 or outside the State of Illinois must provide the seller with a
8 copy of his or her valid Firearm Owner's Identification Card
9 and either his or her Illinois driver's license or Illinois
10 State Identification Card prior to the shipment of the
11 ammunition. The ammunition may be shipped only to an address on
12 either of those 2 documents.

13 (c) The provisions of this Section regarding the transfer
14 of firearm ammunition shall not apply to those persons
15 specified in paragraph (b) of Section 2 of this Act.

16 (Source: P.A. 97-1135, eff. 12-4-12.)

17 (430 ILCS 65/3.1) (from Ch. 38, par. 83-3.1)

18 Sec. 3.1. Dial up system.

19 (a) The Department of State Police shall provide a dial up
20 telephone system or utilize other existing technology which
21 shall be used by any federally licensed firearm dealer, gun
22 show promoter, or gun show vendor who is to transfer a firearm,
23 stun gun, or taser under the provisions of this Act. The
24 Department of State Police may utilize existing technology
25 which allows the caller to be charged a fee not to exceed \$2.

1 Fees collected by the Department of State Police shall be
2 deposited in the State Police Services Fund and used to provide
3 the service.

4 (b) Upon receiving a request from a federally licensed
5 firearm dealer, gun show promoter, or gun show vendor, the
6 Department of State Police shall immediately approve, or within
7 the time period established by Section 24-3 of the Criminal
8 Code of 2012 regarding the delivery of firearms, stun guns, and
9 tasers notify the inquiring dealer, gun show promoter, or gun
10 show vendor of any objection that would disqualify the
11 transferee from acquiring or possessing a firearm, stun gun, or
12 taser. In conducting the inquiry, the Department of State
13 Police shall initiate and complete an automated search of its
14 criminal history record information files and those of the
15 Federal Bureau of Investigation, including the National
16 Instant Criminal Background Check System, and of the files of
17 the Department of Human Services relating to mental health and
18 developmental disabilities to obtain any felony conviction or
19 patient hospitalization information which would disqualify a
20 person from obtaining or require revocation of a currently
21 valid Firearm Owner's Identification Card.

22 (c) If receipt of a firearm would not violate Section 24-3
23 of the Criminal Code of 2012, federal law, or this Act the
24 Department of State Police shall:

25 (1) assign a unique identification number to the
26 transfer; and

1 (2) provide the licensee, gun show promoter, or gun
2 show vendor with the number.

3 (d) Approvals issued by the Department of State Police for
4 the purchase of a firearm are valid for 30 days from the date
5 of issue.

6 (e) (1) The Department of State Police must act as the
7 Illinois Point of Contact for the National Instant Criminal
8 Background Check System.

9 (2) The Department of State Police and the Department of
10 Human Services shall, in accordance with State and federal law
11 regarding confidentiality, enter into a memorandum of
12 understanding with the Federal Bureau of Investigation for the
13 purpose of implementing the National Instant Criminal
14 Background Check System in the State. The Department of State
15 Police shall report the name, date of birth, and physical
16 description of any person prohibited from possessing a firearm
17 pursuant to the Firearm Owners Identification Card Act or 18
18 U.S.C. 922(g) and (n) to the National Instant Criminal
19 Background Check System Index, Denied Persons Files. The
20 Department of State Police shall implement a program to
21 distribute grant moneys, with funds appropriated for that
22 purpose, to units of local government to facilitate
23 participation in the National Instant Criminal Background
24 Check System by their enforcement agencies.

25 (f) The Department of State Police shall promulgate rules
26 not inconsistent with this Section to implement this system.

1 (Source: P.A. 97-1150, eff. 1-25-13.)

2 Section 805. The Criminal Code of 2012 is amended by
3 changing Sections 24-1.1 and 24-3.4 as follows:

4 (720 ILCS 5/24-1.1) (from Ch. 38, par. 24-1.1)

5 Sec. 24-1.1. Unlawful Use or Possession of Weapons by
6 Felons or Persons in the Custody of the Department of
7 Corrections Facilities.

8 (a) It is unlawful for a person to knowingly possess on or
9 about his person or on his land or in his own abode or fixed
10 place of business any weapon prohibited under Section 24-1 of
11 this Act or any firearm or any firearm ammunition if the person
12 has been convicted of a felony under the laws of this State or
13 any other jurisdiction. This Section shall not apply if the
14 person has been granted relief by the Director of the
15 Department of State Police under Section 10 of the Firearm
16 Owners Identification Card Act.

17 (b) It is unlawful for any person confined in a penal
18 institution, which is a facility of the Illinois Department of
19 Corrections, to possess any weapon prohibited under Section
20 24-1 of this Code or any firearm or firearm ammunition,
21 regardless of the intent with which he possesses it.

22 (c) It shall be an affirmative defense to a violation of
23 subsection (b), that such possession was specifically
24 authorized by rule, regulation, or directive of the Illinois

1 Department of Corrections or order issued pursuant thereto.

2 (d) The defense of necessity is not available to a person
3 who is charged with a violation of subsection (b) of this
4 Section.

5 (e) Sentence. Violation of this Section by a person not
6 confined in a penal institution shall be a Class 3 felony for
7 which the person shall be sentenced to no less than 2 years and
8 no more than 10 years and any second or subsequent violation
9 shall be a Class 2 felony for which the person shall be
10 sentenced to a term of imprisonment of not less than 3 years
11 and not more than 14 years. Violation of this Section by a
12 person not confined in a penal institution who has been
13 convicted of a forcible felony, a felony violation of Article
14 24 of this Code or of the Firearm Owners Identification Card
15 Act or of Section 5 of the Family and Personal Protection Act,
16 stalking or aggravated stalking, or a Class 2 or greater felony
17 under the Illinois Controlled Substances Act, the Cannabis
18 Control Act, or the Methamphetamine Control and Community
19 Protection Act is a Class 2 felony for which the person shall
20 be sentenced to not less than 3 years and not more than 14
21 years. Violation of this Section by a person who is on parole
22 or mandatory supervised release is a Class 2 felony for which
23 the person shall be sentenced to not less than 3 years and not
24 more than 14 years. Violation of this Section by a person not
25 confined in a penal institution is a Class X felony when the
26 firearm possessed is a machine gun. Any person who violates

1 this Section while confined in a penal institution, which is a
2 facility of the Illinois Department of Corrections, is guilty
3 of a Class 1 felony, if he possesses any weapon prohibited
4 under Section 24-1 of this Code regardless of the intent with
5 which he possesses it, a Class X felony if he possesses any
6 firearm, firearm ammunition or explosive, and a Class X felony
7 for which the offender shall be sentenced to not less than 12
8 years and not more than 50 years when the firearm possessed is
9 a machine gun. A violation of this Section while wearing or in
10 possession of body armor as defined in Section 33F-1 is a Class
11 X felony punishable by a term of imprisonment of not less than
12 10 years and not more than 40 years. The possession of each
13 firearm or firearm ammunition in violation of this Section
14 constitutes a single and separate violation.

15 (Source: P.A. 97-237, eff. 1-1-12.)

16 (720 ILCS 5/24-3.4) (from Ch. 38, par. 24-3.4)

17 Sec. 24-3.4. Unlawful sale of firearms by liquor licensee.

18 (a) It shall be unlawful for any person who holds a license
19 to sell at retail any alcoholic liquor issued by the Illinois
20 Liquor Control Commission or local liquor control commissioner
21 under the Liquor Control Act of 1934 or an agent or employee of
22 the licensee to sell or deliver to any other person a firearm
23 in or on the real property of the establishment where the
24 licensee is licensed to sell alcoholic liquors unless the sale
25 or delivery of the firearm is otherwise lawful under this

1 Article and under the Firearm Owners Identification Card Act
2 and Section 5 of the Family and Personal Protection Act.

3 (b) Sentence. A violation of subsection (a) of this Section
4 is a Class 4 felony.

5 (Source: P.A. 87-591.)

6 Section 806. The Unified Code of Corrections is amended by
7 changing Section 5-5-3.2 as follows:

8 (730 ILCS 5/5-5-3.2)

9 Sec. 5-5-3.2. Factors in Aggravation and Extended-Term
10 Sentencing.

11 (a) The following factors shall be accorded weight in favor
12 of imposing a term of imprisonment or may be considered by the
13 court as reasons to impose a more severe sentence under Section
14 5-8-1 or Article 4.5 of Chapter V:

15 (1) the defendant's conduct caused or threatened
16 serious harm;

17 (2) the defendant received compensation for committing
18 the offense;

19 (3) the defendant has a history of prior delinquency or
20 criminal activity;

21 (4) the defendant, by the duties of his office or by
22 his position, was obliged to prevent the particular offense
23 committed or to bring the offenders committing it to
24 justice;

1 (5) the defendant held public office at the time of the
2 offense, and the offense related to the conduct of that
3 office;

4 (6) the defendant utilized his professional reputation
5 or position in the community to commit the offense, or to
6 afford him an easier means of committing it;

7 (7) the sentence is necessary to deter others from
8 committing the same crime;

9 (8) the defendant committed the offense against a
10 person 60 years of age or older or such person's property;

11 (9) the defendant committed the offense against a
12 person who is physically handicapped or such person's
13 property;

14 (10) by reason of another individual's actual or
15 perceived race, color, creed, religion, ancestry, gender,
16 sexual orientation, physical or mental disability, or
17 national origin, the defendant committed the offense
18 against (i) the person or property of that individual; (ii)
19 the person or property of a person who has an association
20 with, is married to, or has a friendship with the other
21 individual; or (iii) the person or property of a relative
22 (by blood or marriage) of a person described in clause (i)
23 or (ii). For the purposes of this Section, "sexual
24 orientation" means heterosexuality, homosexuality, or
25 bisexuality;

26 (11) the offense took place in a place of worship or on

1 the grounds of a place of worship, immediately prior to,
2 during or immediately following worship services. For
3 purposes of this subparagraph, "place of worship" shall
4 mean any church, synagogue or other building, structure or
5 place used primarily for religious worship;

6 (12) the defendant was convicted of a felony committed
7 while he was released on bail or his own recognizance
8 pending trial for a prior felony and was convicted of such
9 prior felony, or the defendant was convicted of a felony
10 committed while he was serving a period of probation,
11 conditional discharge, or mandatory supervised release
12 under subsection (d) of Section 5-8-1 for a prior felony;

13 (13) the defendant committed or attempted to commit a
14 felony while he was wearing a bulletproof vest. For the
15 purposes of this paragraph (13), a bulletproof vest is any
16 device which is designed for the purpose of protecting the
17 wearer from bullets, shot or other lethal projectiles;

18 (14) the defendant held a position of trust or
19 supervision such as, but not limited to, family member as
20 defined in Section 11-0.1 of the Criminal Code of 2012,
21 teacher, scout leader, baby sitter, or day care worker, in
22 relation to a victim under 18 years of age, and the
23 defendant committed an offense in violation of Section
24 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-11,
25 11-14.4 except for an offense that involves keeping a place
26 of juvenile prostitution, 11-15.1, 11-19.1, 11-19.2,

1 11-20.1, 11-20.1B, 11-20.3, 12-13, 12-14, 12-14.1, 12-15
2 or 12-16 of the Criminal Code of 1961 or the Criminal Code
3 of 2012 against that victim;

4 (15) the defendant committed an offense related to the
5 activities of an organized gang. For the purposes of this
6 factor, "organized gang" has the meaning ascribed to it in
7 Section 10 of the Streetgang Terrorism Omnibus Prevention
8 Act;

9 (16) the defendant committed an offense in violation of
10 one of the following Sections while in a school, regardless
11 of the time of day or time of year; on any conveyance
12 owned, leased, or contracted by a school to transport
13 students to or from school or a school related activity; on
14 the real property of a school; or on a public way within
15 1,000 feet of the real property comprising any school:
16 Section 10-1, 10-2, 10-5, 11-1.20, 11-1.30, 11-1.40,
17 11-1.50, 11-1.60, 11-14.4, 11-15.1, 11-17.1, 11-18.1,
18 11-19.1, 11-19.2, 12-2, 12-4, 12-4.1, 12-4.2, 12-4.3,
19 12-6, 12-6.1, 12-6.5, 12-13, 12-14, 12-14.1, 12-15, 12-16,
20 18-2, or 33A-2, or Section 12-3.05 except for subdivision
21 (a) (4) or (g) (1), of the Criminal Code of 1961 or the
22 Criminal Code of 2012;

23 (16.5) the defendant committed an offense in violation
24 of one of the following Sections while in a day care
25 center, regardless of the time of day or time of year; on
26 the real property of a day care center, regardless of the

1 time of day or time of year; or on a public way within
2 1,000 feet of the real property comprising any day care
3 center, regardless of the time of day or time of year:
4 Section 10-1, 10-2, 10-5, 11-1.20, 11-1.30, 11-1.40,
5 11-1.50, 11-1.60, 11-14.4, 11-15.1, 11-17.1, 11-18.1,
6 11-19.1, 11-19.2, 12-2, 12-4, 12-4.1, 12-4.2, 12-4.3,
7 12-6, 12-6.1, 12-6.5, 12-13, 12-14, 12-14.1, 12-15, 12-16,
8 18-2, or 33A-2, or Section 12-3.05 except for subdivision
9 (a)(4) or (g)(1), of the Criminal Code of 1961 or the
10 Criminal Code of 2012;

11 (17) the defendant committed the offense by reason of
12 any person's activity as a community policing volunteer or
13 to prevent any person from engaging in activity as a
14 community policing volunteer. For the purpose of this
15 Section, "community policing volunteer" has the meaning
16 ascribed to it in Section 2-3.5 of the Criminal Code of
17 2012;

18 (18) the defendant committed the offense in a nursing
19 home or on the real property comprising a nursing home. For
20 the purposes of this paragraph (18), "nursing home" means a
21 skilled nursing or intermediate long term care facility
22 that is subject to license by the Illinois Department of
23 Public Health under the Nursing Home Care Act, the
24 Specialized Mental Health Rehabilitation Act, or the ID/DD
25 Community Care Act;

26 (19) the defendant was a federally licensed firearm

1 dealer and was previously convicted of a violation of
2 subsection (a) of Section 3 of the Firearm Owners
3 Identification Card Act or Section 5 of the Family and
4 Personal Protection Act and has now committed either a
5 felony violation of the Firearm Owners Identification Card
6 Act or Section 5 of the Family and Personal Protection Act
7 or an act of armed violence while armed with a firearm;

8 (20) the defendant (i) committed the offense of
9 reckless homicide under Section 9-3 of the Criminal Code of
10 1961 or the Criminal Code of 2012 or the offense of driving
11 under the influence of alcohol, other drug or drugs,
12 intoxicating compound or compounds or any combination
13 thereof under Section 11-501 of the Illinois Vehicle Code
14 or a similar provision of a local ordinance and (ii) was
15 operating a motor vehicle in excess of 20 miles per hour
16 over the posted speed limit as provided in Article VI of
17 Chapter 11 of the Illinois Vehicle Code;

18 (21) the defendant (i) committed the offense of
19 reckless driving or aggravated reckless driving under
20 Section 11-503 of the Illinois Vehicle Code and (ii) was
21 operating a motor vehicle in excess of 20 miles per hour
22 over the posted speed limit as provided in Article VI of
23 Chapter 11 of the Illinois Vehicle Code;

24 (22) the defendant committed the offense against a
25 person that the defendant knew, or reasonably should have
26 known, was a member of the Armed Forces of the United

1 States serving on active duty. For purposes of this clause
2 (22), the term "Armed Forces" means any of the Armed Forces
3 of the United States, including a member of any reserve
4 component thereof or National Guard unit called to active
5 duty;

6 (23) the defendant committed the offense against a
7 person who was elderly, disabled, or infirm by taking
8 advantage of a family or fiduciary relationship with the
9 elderly, disabled, or infirm person;

10 (24) the defendant committed any offense under Section
11 11-20.1 of the Criminal Code of 1961 or the Criminal Code
12 of 2012 and possessed 100 or more images;

13 (25) the defendant committed the offense while the
14 defendant or the victim was in a train, bus, or other
15 vehicle used for public transportation;

16 (26) the defendant committed the offense of child
17 pornography or aggravated child pornography, specifically
18 including paragraph (1), (2), (3), (4), (5), or (7) of
19 subsection (a) of Section 11-20.1 of the Criminal Code of
20 1961 or the Criminal Code of 2012 where a child engaged in,
21 solicited for, depicted in, or posed in any act of sexual
22 penetration or bound, fettered, or subject to sadistic,
23 masochistic, or sadomasochistic abuse in a sexual context
24 and specifically including paragraph (1), (2), (3), (4),
25 (5), or (7) of subsection (a) of Section 11-20.1B or
26 Section 11-20.3 of the Criminal Code of 1961 where a child

1 engaged in, solicited for, depicted in, or posed in any act
2 of sexual penetration or bound, fettered, or subject to
3 sadistic, masochistic, or sadomasochistic abuse in a
4 sexual context;

5 (27) the defendant committed the offense of first
6 degree murder, assault, aggravated assault, battery,
7 aggravated battery, robbery, armed robbery, or aggravated
8 robbery against a person who was a veteran and the
9 defendant knew, or reasonably should have known, that the
10 person was a veteran performing duties as a representative
11 of a veterans' organization. For the purposes of this
12 paragraph (27), "veteran" means an Illinois resident who
13 has served as a member of the United States Armed Forces, a
14 member of the Illinois National Guard, or a member of the
15 United States Reserve Forces; and "veterans' organization"
16 means an organization comprised of members of which
17 substantially all are individuals who are veterans or
18 spouses, widows, or widowers of veterans, the primary
19 purpose of which is to promote the welfare of its members
20 and to provide assistance to the general public in such a
21 way as to confer a public benefit; or

22 (28) the defendant committed the offense of assault,
23 aggravated assault, battery, aggravated battery, robbery,
24 armed robbery, or aggravated robbery against a person that
25 the defendant knew or reasonably should have known was a
26 letter carrier or postal worker while that person was

1 performing his or her duties delivering mail for the United
2 States Postal Service.

3 For the purposes of this Section:

4 "School" is defined as a public or private elementary or
5 secondary school, community college, college, or university.

6 "Day care center" means a public or private State certified
7 and licensed day care center as defined in Section 2.09 of the
8 Child Care Act of 1969 that displays a sign in plain view
9 stating that the property is a day care center.

10 "Public transportation" means the transportation or
11 conveyance of persons by means available to the general public,
12 and includes paratransit services.

13 (b) The following factors, related to all felonies, may be
14 considered by the court as reasons to impose an extended term
15 sentence under Section 5-8-2 upon any offender:

16 (1) When a defendant is convicted of any felony, after
17 having been previously convicted in Illinois or any other
18 jurisdiction of the same or similar class felony or greater
19 class felony, when such conviction has occurred within 10
20 years after the previous conviction, excluding time spent
21 in custody, and such charges are separately brought and
22 tried and arise out of different series of acts; or

23 (2) When a defendant is convicted of any felony and the
24 court finds that the offense was accompanied by
25 exceptionally brutal or heinous behavior indicative of
26 wanton cruelty; or

1 (3) When a defendant is convicted of any felony
2 committed against:

3 (i) a person under 12 years of age at the time of
4 the offense or such person's property;

5 (ii) a person 60 years of age or older at the time
6 of the offense or such person's property; or

7 (iii) a person physically handicapped at the time
8 of the offense or such person's property; or

9 (4) When a defendant is convicted of any felony and the
10 offense involved any of the following types of specific
11 misconduct committed as part of a ceremony, rite,
12 initiation, observance, performance, practice or activity
13 of any actual or ostensible religious, fraternal, or social
14 group:

15 (i) the brutalizing or torturing of humans or
16 animals;

17 (ii) the theft of human corpses;

18 (iii) the kidnapping of humans;

19 (iv) the desecration of any cemetery, religious,
20 fraternal, business, governmental, educational, or
21 other building or property; or

22 (v) ritualized abuse of a child; or

23 (5) When a defendant is convicted of a felony other
24 than conspiracy and the court finds that the felony was
25 committed under an agreement with 2 or more other persons
26 to commit that offense and the defendant, with respect to

1 the other individuals, occupied a position of organizer,
2 supervisor, financier, or any other position of management
3 or leadership, and the court further finds that the felony
4 committed was related to or in furtherance of the criminal
5 activities of an organized gang or was motivated by the
6 defendant's leadership in an organized gang; or

7 (6) When a defendant is convicted of an offense
8 committed while using a firearm with a laser sight attached
9 to it. For purposes of this paragraph, "laser sight" has
10 the meaning ascribed to it in Section 26-7 of the Criminal
11 Code of 2012; or

12 (7) When a defendant who was at least 17 years of age
13 at the time of the commission of the offense is convicted
14 of a felony and has been previously adjudicated a
15 delinquent minor under the Juvenile Court Act of 1987 for
16 an act that if committed by an adult would be a Class X or
17 Class 1 felony when the conviction has occurred within 10
18 years after the previous adjudication, excluding time
19 spent in custody; or

20 (8) When a defendant commits any felony and the
21 defendant used, possessed, exercised control over, or
22 otherwise directed an animal to assault a law enforcement
23 officer engaged in the execution of his or her official
24 duties or in furtherance of the criminal activities of an
25 organized gang in which the defendant is engaged.

26 (c) The following factors may be considered by the court as

1 reasons to impose an extended term sentence under Section 5-8-2
2 (730 ILCS 5/5-8-2) upon any offender for the listed offenses:

3 (1) When a defendant is convicted of first degree
4 murder, after having been previously convicted in Illinois
5 of any offense listed under paragraph (c)(2) of Section
6 5-5-3 (730 ILCS 5/5-5-3), when that conviction has occurred
7 within 10 years after the previous conviction, excluding
8 time spent in custody, and the charges are separately
9 brought and tried and arise out of different series of
10 acts.

11 (1.5) When a defendant is convicted of first degree
12 murder, after having been previously convicted of domestic
13 battery (720 ILCS 5/12-3.2) or aggravated domestic battery
14 (720 ILCS 5/12-3.3) committed on the same victim or after
15 having been previously convicted of violation of an order
16 of protection (720 ILCS 5/12-30) in which the same victim
17 was the protected person.

18 (2) When a defendant is convicted of voluntary
19 manslaughter, second degree murder, involuntary
20 manslaughter, or reckless homicide in which the defendant
21 has been convicted of causing the death of more than one
22 individual.

23 (3) When a defendant is convicted of aggravated
24 criminal sexual assault or criminal sexual assault, when
25 there is a finding that aggravated criminal sexual assault
26 or criminal sexual assault was also committed on the same

1 victim by one or more other individuals, and the defendant
2 voluntarily participated in the crime with the knowledge of
3 the participation of the others in the crime, and the
4 commission of the crime was part of a single course of
5 conduct during which there was no substantial change in the
6 nature of the criminal objective.

7 (4) If the victim was under 18 years of age at the time
8 of the commission of the offense, when a defendant is
9 convicted of aggravated criminal sexual assault or
10 predatory criminal sexual assault of a child under
11 subsection (a)(1) of Section 11-1.40 or subsection (a)(1)
12 of Section 12-14.1 of the Criminal Code of 1961 or the
13 Criminal Code of 2012 (720 ILCS 5/11-1.40 or 5/12-14.1).

14 (5) When a defendant is convicted of a felony violation
15 of Section 24-1 of the Criminal Code of 1961 or the
16 Criminal Code of 2012 (720 ILCS 5/24-1) and there is a
17 finding that the defendant is a member of an organized
18 gang.

19 (6) When a defendant was convicted of unlawful use of
20 weapons under Section 24-1 of the Criminal Code of 1961 or
21 the Criminal Code of 2012 (720 ILCS 5/24-1) for possessing
22 a weapon that is not readily distinguishable as one of the
23 weapons enumerated in Section 24-1 of the Criminal Code of
24 1961 or the Criminal Code of 2012 (720 ILCS 5/24-1).

25 (7) When a defendant is convicted of an offense
26 involving the illegal manufacture of a controlled

1 substance under Section 401 of the Illinois Controlled
2 Substances Act (720 ILCS 570/401), the illegal manufacture
3 of methamphetamine under Section 25 of the Methamphetamine
4 Control and Community Protection Act (720 ILCS 646/25), or
5 the illegal possession of explosives and an emergency
6 response officer in the performance of his or her duties is
7 killed or injured at the scene of the offense while
8 responding to the emergency caused by the commission of the
9 offense. In this paragraph, "emergency" means a situation
10 in which a person's life, health, or safety is in jeopardy;
11 and "emergency response officer" means a peace officer,
12 community policing volunteer, fireman, emergency medical
13 technician-ambulance, emergency medical
14 technician-intermediate, emergency medical
15 technician-paramedic, ambulance driver, other medical
16 assistance or first aid personnel, or hospital emergency
17 room personnel.

18 (d) For the purposes of this Section, "organized gang" has
19 the meaning ascribed to it in Section 10 of the Illinois
20 Streetgang Terrorism Omnibus Prevention Act.

21 (e) The court may impose an extended term sentence under
22 Article 4.5 of Chapter V upon an offender who has been
23 convicted of a felony violation of Section 11-1.20, 11-1.30,
24 11-1.40, 11-1.50, 11-1.60, 12-13, 12-14, 12-14.1, 12-15, or
25 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012
26 when the victim of the offense is under 18 years of age at the

1 time of the commission of the offense and, during the
2 commission of the offense, the victim was under the influence
3 of alcohol, regardless of whether or not the alcohol was
4 supplied by the offender; and the offender, at the time of the
5 commission of the offense, knew or should have known that the
6 victim had consumed alcohol.

7 (Source: P.A. 96-41, eff. 1-1-10; 96-292, eff. 1-1-10; 96-328,
8 eff. 8-11-09; 96-339, eff. 7-1-10; 96-1000, eff. 7-2-10;
9 96-1200, eff. 7-22-10; 96-1228, eff. 1-1-11; 96-1390, eff.
10 1-1-11; 96-1551, Article 1, Section 970, eff. 7-1-11; 96-1551,
11 Article 2, Section 1065, eff. 7-1-11; 97-38, eff. 6-28-11,
12 97-227, eff. 1-1-12; 97-333, eff. 8-12-11; 97-693, eff. 1-1-13;
13 97-1108, eff. 1-1-13; 97-1109, eff. 1-1-13; 97-1150, eff.
14 1-25-13.)

15 Section 815. The Criminal Code of 2012 is amended by adding
16 Section 24-9.3 as follows:

17 (720 ILCS 5/24-9.3 new)

18 Sec. 24-9.3. Prohibited person firearm access violation.

19 (a) A person commits prohibited person firearm access when
20 he or she stores or leaves, within premises under his or her
21 control, a firearm if the person knows or has reason to know
22 that a person prohibited from possessing a firearm because of a
23 felony conviction, domestic battery conviction, an outstanding
24 order of protection or stalking no-contact order against him or

1 her, adjudication as a mental defective, having been a patient
2 in a mental institution within the past 5 years, or because he
3 or she is otherwise prohibited from obtaining a Firearm Owner's
4 Identification Card is likely to gain access to the firearm,
5 and the firearm:

6 (1) is not secured by a device or mechanism, other than
7 the firearm safety, designed to render a firearm
8 temporarily inoperable;

9 (2) is not placed in a securely locked box or
10 container; or

11 (3) is not placed in some other location that a
12 reasonable person would believe to be secure from a person.

13 (b) This Section does not apply:

14 (1) if the prohibited person gains access to a firearm
15 and uses it in a lawful act of self-defense or defense of
16 another;

17 (2) to any firearm obtained by a prohibited person
18 because of an unlawful entry of the premises by the
19 prohibited person or another person; or

20 (3) when the firearm is in the immediate possession or
21 control of the owner.

22 (c) For the purposes of this Section, "firearm" has the
23 meaning ascribed to it in Section 1.1 of the Firearm Owners
24 Identification Card Act.

25 (d) Sentence. A first violation of this Section is a Class
26 C misdemeanor and the person shall be fined not less than

1 \$1,000. A second or subsequent violation is a Class A
2 misdemeanor.

3 Section 825. The Firearm Owners Identification Card Act is
4 amended by changing Section 8 as follows:

5 (430 ILCS 65/8) (from Ch. 38, par. 83-8)

6 (Text of Section before amendment by P.A. 97-1167)

7 Sec. 8. Grounds for denial and revocation.

8 (A) The Department of State Police has authority to deny an
9 application for or to revoke and seize a Firearm Owner's
10 Identification Card previously issued under this Act only if
11 the Department finds that the applicant or the person to whom
12 such card was issued is or was at the time of issuance:

13 (a) A person under 21 years of age who has been convicted
14 of a misdemeanor other than a traffic offense or adjudged
15 delinquent;

16 (b) A person under 21 years of age who does not have the
17 written consent of his parent or guardian to acquire and
18 possess firearms and firearm ammunition, or whose parent or
19 guardian has revoked such written consent, or where such parent
20 or guardian does not qualify to have a Firearm Owner's
21 Identification Card;

22 (c) A person convicted of a felony under the laws of this
23 or any other jurisdiction;

24 (d) A person addicted to narcotics;

1 (e) A person who has been a patient of a mental institution
2 within the past 5 years or has been adjudicated as a mental
3 defective;

4 (f) A person whose mental condition is of such a nature
5 that it poses a clear and present danger to the applicant, any
6 other person or persons or the community;

7 For the purposes of this Section, "mental condition" means
8 a state of mind manifested by violent, suicidal, threatening or
9 assaultive behavior.

10 (g) A person who is intellectually disabled;

11 (h) A person who intentionally makes a false statement in
12 the Firearm Owner's Identification Card application;

13 (i) An alien who is unlawfully present in the United States
14 under the laws of the United States;

15 (i-5) An alien who has been admitted to the United States
16 under a non-immigrant visa (as that term is defined in Section
17 101(a)(26) of the Immigration and Nationality Act (8 U.S.C.
18 1101(a)(26))), except that this subsection (i-5) does not apply
19 to any alien who has been lawfully admitted to the United
20 States under a non-immigrant visa if that alien is:

21 (1) admitted to the United States for lawful hunting or
22 sporting purposes;

23 (2) an official representative of a foreign government
24 who is:

25 (A) accredited to the United States Government or
26 the Government's mission to an international

1 organization having its headquarters in the United
2 States; or

3 (B) en route to or from another country to which
4 that alien is accredited;

5 (3) an official of a foreign government or
6 distinguished foreign visitor who has been so designated by
7 the Department of State;

8 (4) a foreign law enforcement officer of a friendly
9 foreign government entering the United States on official
10 business; or

11 (5) one who has received a waiver from the Attorney
12 General of the United States pursuant to 18 U.S.C.
13 922(y)(3);

14 (j) (Blank);

15 (k) A person who has been convicted within the past 5 years
16 of battery, assault, aggravated assault, violation of an order
17 of protection, or a substantially similar offense in another
18 jurisdiction, in which a firearm was used or possessed;

19 (l) A person who has been convicted of domestic battery,
20 aggravated domestic battery, or a substantially similar
21 offense in another jurisdiction committed before, on or after
22 January 1, 2012 (the effective date of Public Act 97-158). If
23 the applicant or person who has been previously issued a
24 Firearm Owner's Identification Card under this Act knowingly
25 and intelligently waives the right to have an offense described
26 in this paragraph (l) tried by a jury, and by guilty plea or

1 otherwise, results in a conviction for an offense in which a
2 domestic relationship is not a required element of the offense
3 but in which a determination of the applicability of 18 U.S.C.
4 922(g)(9) is made under Section 112A-11.1 of the Code of
5 Criminal Procedure of 1963, an entry by the court of a judgment
6 of conviction for that offense shall be grounds for denying an
7 application for and for revoking and seizing a Firearm Owner's
8 Identification Card previously issued to the person under this
9 Act;

10 (m) (Blank);

11 (n) A person who is prohibited from acquiring or possessing
12 firearms or firearm ammunition by any Illinois State statute or
13 by federal law;

14 (o) A minor subject to a petition filed under Section 5-520
15 of the Juvenile Court Act of 1987 alleging that the minor is a
16 delinquent minor for the commission of an offense that if
17 committed by an adult would be a felony;

18 (p) An adult who had been adjudicated a delinquent minor
19 under the Juvenile Court Act of 1987 for the commission of an
20 offense that if committed by an adult would be a felony; or

21 (q) A person who is not a resident of the State of
22 Illinois, except as provided in subsection (a-10) of Section 4.

23 (B) The Department of State Police may revoke and seize a
24 Firearm Owner's Identification Card previously issued under
25 this Act of a person who fails to report the loss or theft of a
26 firearm a second time to the local law enforcement agency

1 within 72 hours after obtaining knowledge of the second loss or
2 theft.

3 (Source: P.A. 96-701, eff. 1-1-10; 97-158, eff. 1-1-12; 97-227,
4 eff. 1-1-12; 97-813, eff. 7-13-12; 97-1131, eff. 1-1-13.)

5 (Text of Section after amendment by P.A. 97-1167)

6 Sec. 8. Grounds for denial and revocation.

7 (A) The Department of State Police has authority to deny an
8 application for or to revoke and seize a Firearm Owner's
9 Identification Card previously issued under this Act only if
10 the Department finds that the applicant or the person to whom
11 such card was issued is or was at the time of issuance:

12 (a) A person under 21 years of age who has been convicted
13 of a misdemeanor other than a traffic offense or adjudged
14 delinquent;

15 (b) A person under 21 years of age who does not have the
16 written consent of his parent or guardian to acquire and
17 possess firearms and firearm ammunition, or whose parent or
18 guardian has revoked such written consent, or where such parent
19 or guardian does not qualify to have a Firearm Owner's
20 Identification Card;

21 (c) A person convicted of a felony under the laws of this
22 or any other jurisdiction;

23 (d) A person addicted to narcotics;

24 (e) A person who has been a patient of a mental institution
25 within the past 5 years. An active law enforcement officer

1 employed by a unit of government who is denied, revoked, or has
2 his or her Firearm Owner's Identification Card seized under
3 this subsection (e) may obtain relief as described in
4 subsection (c-5) of Section 10 of this Act if the officer did
5 not act in a manner threatening to the officer, another person,
6 or the public as determined by the treating clinical
7 psychologist or physician, and the officer seeks mental health
8 treatment;

9 (f) A person whose mental condition is of such a nature
10 that it poses a clear and present danger to the applicant, any
11 other person or persons or the community;

12 For the purposes of this Section, "mental condition" means
13 a state of mind manifested by violent, suicidal, threatening or
14 assaultive behavior.

15 (g) A person who is intellectually disabled;

16 (h) A person who intentionally makes a false statement in
17 the Firearm Owner's Identification Card application;

18 (i) An alien who is unlawfully present in the United States
19 under the laws of the United States;

20 (i-5) An alien who has been admitted to the United States
21 under a non-immigrant visa (as that term is defined in Section
22 101(a)(26) of the Immigration and Nationality Act (8 U.S.C.
23 1101(a)(26))), except that this subsection (i-5) does not apply
24 to any alien who has been lawfully admitted to the United
25 States under a non-immigrant visa if that alien is:

26 (1) admitted to the United States for lawful hunting or

1 sporting purposes;

2 (2) an official representative of a foreign government
3 who is:

4 (A) accredited to the United States Government or
5 the Government's mission to an international
6 organization having its headquarters in the United
7 States; or

8 (B) en route to or from another country to which
9 that alien is accredited;

10 (3) an official of a foreign government or
11 distinguished foreign visitor who has been so designated by
12 the Department of State;

13 (4) a foreign law enforcement officer of a friendly
14 foreign government entering the United States on official
15 business; or

16 (5) one who has received a waiver from the Attorney
17 General of the United States pursuant to 18 U.S.C.
18 922(y)(3);

19 (j) (Blank);

20 (k) A person who has been convicted within the past 5 years
21 of battery, assault, aggravated assault, violation of an order
22 of protection, or a substantially similar offense in another
23 jurisdiction, in which a firearm was used or possessed;

24 (l) A person who has been convicted of domestic battery,
25 aggravated domestic battery, or a substantially similar
26 offense in another jurisdiction committed before, on or after

1 January 1, 2012 (the effective date of Public Act 97-158). If
2 the applicant or person who has been previously issued a
3 Firearm Owner's Identification Card under this Act knowingly
4 and intelligently waives the right to have an offense described
5 in this paragraph (l) tried by a jury, and by guilty plea or
6 otherwise, results in a conviction for an offense in which a
7 domestic relationship is not a required element of the offense
8 but in which a determination of the applicability of 18 U.S.C.
9 922(g)(9) is made under Section 112A-11.1 of the Code of
10 Criminal Procedure of 1963, an entry by the court of a judgment
11 of conviction for that offense shall be grounds for denying an
12 application for and for revoking and seizing a Firearm Owner's
13 Identification Card previously issued to the person under this
14 Act;

15 (m) (Blank);

16 (n) A person who is prohibited from acquiring or possessing
17 firearms or firearm ammunition by any Illinois State statute or
18 by federal law;

19 (o) A minor subject to a petition filed under Section 5-520
20 of the Juvenile Court Act of 1987 alleging that the minor is a
21 delinquent minor for the commission of an offense that if
22 committed by an adult would be a felony;

23 (p) An adult who had been adjudicated a delinquent minor
24 under the Juvenile Court Act of 1987 for the commission of an
25 offense that if committed by an adult would be a felony;

26 (q) A person who is not a resident of the State of

1 Illinois, except as provided in subsection (a-10) of Section 4;
2 or

3 (r) A person who has been adjudicated as a mental
4 defective.

5 (B) The Department of State Police may revoke and seize a
6 Firearm Owner's Identification Card previously issued under
7 this Act of a person who fails to report the loss or theft of a
8 firearm a second time to the local law enforcement agency
9 within 72 hours after obtaining knowledge of the second loss or
10 theft.

11 (Source: P.A. 96-701, eff. 1-1-10; 97-158, eff. 1-1-12; 97-227,
12 eff. 1-1-12; 97-813, eff. 7-13-12; 97-1131, eff. 1-1-13;
13 97-1167, eff. 6-1-13.)

14 Section 826. The Criminal Code of 2012 is amended by adding
15 Section 24-4.1 as follows:

16 (720 ILCS 5/24-4.1 new)

17 Sec. 24-4.1. Report of lost or stolen firearms.

18 (a) If a person who possesses a valid Firearm Owner's
19 Identification Card and who possesses or acquires a firearm
20 thereafter loses or misplaces the firearm, or if the firearm is
21 stolen from the person, the person must report the loss or
22 theft to the local law enforcement agency within 72 hours after
23 obtaining knowledge of the loss or theft.

24 (b) Sentence. A person who violates this Section is guilty

1 of a petty offense for a first violation. A second or
2 subsequent violation of this Section is a Class A misdemeanor.

3 Section 827. No acceleration or delay. Where this Act makes
4 changes in a statute that is represented in this Act by text
5 that is not yet or no longer in effect (for example, a Section
6 represented by multiple versions), the use of that text does
7 not accelerate or delay the taking effect of (i) the changes
8 made by this Act or (ii) provisions derived from any other
9 Public Act.

10 Section 999. Effective date. This Act takes effect upon
11 becoming law.